

ZONING BOARD OF APPEALS  
CITY OF LIVONIA  
MINUTES OF MEETING HELD TUESDAY, OCTOBER 28, 2025

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, October 28, 2025.

**MEMBERS PRESENT:** Gregory G. Coppola, Chairman  
Jim Baringhaus, Vice Chairman  
Timothy Klisz, Secretary  
Lindsey Hakala  
Brian Meagher  
Marc Rotondo  
Michael Testa

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mike Fisher, Chief Assistant City Attorney  
Matt Stierna, Senior 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. Seven (7) members were present. Secretary, Timothy Klisz, then read the Agenda and Legal Notice to each appeal, and three (3) of the five (5) Petitioners indicated their presence. The Chairman decided to check again later to see if the missing Petitioners arrived. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were several (not counted) people present in the audience.

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(7:00)

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**APPEAL CASE NO. 2025-05-15, 16184 Middlebelt (Tabled on September 9, 2025):** an appeal was made to the Zoning Board of Appeals by Najae and Donovan Dixon, Belmont Properties, LLC, on behalf of Socialite Event Lounge, LLC, seeking to increase the previously approved occupant load from 49 persons to 150 persons to establish a banquet facility, as defined by the Livonia Zoning Ordinance, resulting in a banquet facility in a C-1 zoning district, which is prohibited, and a banquet facility less than 300 feet from a residential zoning district.

**Separation from a Residential District**

Required: 300 feet

Proposed: 0 feet

Deficient: 300 feet

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

**COPPOLA** All right. Thank you. Do I have a motion?

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Motion to remove Appeal Case No. 2025-05-15 from the table.

**TESTA** Support.

**COPPOLA** I have a motion by Vice Chair Baringhaus supported by Mr. Testa to remove from the table. All in favor.

The Board voted unanimously to remove Appeal Case No. 2025-05-15 from the table.

**COPPOLA** All right, so removed. Mr. Stierna, anything you'd like to add?

**STIERNA** I have nothing to add at this point.

**COPPOLA** All right. Thank you. Any questions for the Inspection Department?

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Yes. Question for Mr. Stierna. Do we know the occupancy capacity of the building for Socialite Event Lounge?

**STIERNA** Based on its current use. Again, the occupancy could be a business use. It could be an assembly use, just what they're essentially trying to get is an assembly use here, which would allow for 150 people, I believe, based on the number of toilet fixtures they have

available. If they're a business use would be significantly less than that. There were stipulations set to the previous owner in order to get a[n] event types gallery there at a similar level, at 49 persons. That kind of met the intent of the ordinance at the time.

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

**COPPOLA** Questions for Mr. Stierna? Alright, seeing none. Petitioner, name and address for the records, if you would? Yeah. I'm sorry. Mr. Testa.

**TESTA** I have a question for Mr. Fisher.

**COPPOLA** Sure.

**TESTA** Mr. Fisher, the Petitioner is asking that... they're currently at 49, they're asking for a 150-person limit. Do we have the ability to approve something smaller than one-fifty, or is that not possible because they're asking for it? Is it either we must accept or reject the 150 or could we go with a lower number?

**FISHER** Well, I don't know why you couldn't, off the top of my head. I'd say, if that works for everybody, this might be an elegant solution to this.

**TESTA** Okay, thank you.

**COPPOLA** Mr. Fisher, just for clarification and notification for the Board, if this use variance was approved, it would be for the location, correct, not for the business, so that, theoretically, the business could be sold and another business or they could close, and another business come in and run the same business using that use variance, correct?

**FISHER** Yes, that's true.

**COPPOLA** All right. Thank you. All right, I think we're ready to get started. If I can just have for the record, name and addresses for those that will be speaking.

**POTTS** Sure. Good evening, everyone. My name is Coleman Potts. I'm an attorney for the Socialite Event Gallery. Just want to thank you all for getting this back on the calendar so quickly. Since you have a full Board tonight.

**COPPOLA** Can you do me a favor and make sure you speak up, because our little recorder over here is... does a pretty good job, but...

**POTTS** I got you. I'll talk louder. Like I said, good evening, everyone. My name is Coleman Potts. I'm the attorney for the Socialite Event Gallery. Just wanted to thank everyone for getting us back on the calendar so quickly, since we do have a full Board tonight. So we appreciate that.

**NAJAE DIXON** Hi, everyone. My name is Najae Dixon. I am one of the owners of Socialite Event Gallery, 16184 Middlebelt Road, Livonia, 48154.

**DONOVAN DIXON** Donovan Dixon, also owner. 16184 Middlebelt Road.

**COPPOLA** All right. Thank you. So at the last meeting, we only had, I believe five people, four or five people, five people, I think, is what we had. And you didn't have enough at that point in time. Didn't look like you had the level of support you needed to get passed, and I didn't want to end up having that petition turned down without at least having an opportunity to get in front of a full Board, have an opportunity to have all seven vote, and a better opportunity of getting forward. I'm not sure, has anything changed from your perspective, since we last met together?

**POTTS** Not necessarily changed, but I guess I'll give a brief recitation of the procedural history, because since we do have a full Board tonight, I don't know if everyone has had an opportunity or chance to know the full history of what we're trying to accomplish here. So this business was purchased from another couple who operated it pretty much as an event space. When they were operating as an event space, before my clients bought it, they represented certain things about the business. They represented the capacity of the business, what the business was used for. When my clients went to actually get a license to make sure they were doing everything properly, that's when they learned that the actual capacity for the business was only 49 people. I think we first appeared in front of this Board in June to address the capacity to apply for this 150-people variance. In addition to that, we had some feedback, and we tried to address the concerns of the neighborhood as much as possible. I believe, at the first meeting, there were a few letters from the neighborhood, some in opposition, actually, most in opposition, one in support. Since then, we reached out to the neighborhood with letters. There was an ice cream social that we held just so we can communicate with the neighborhood. For this meeting, we actually provided a noise and crowd mitigation plan, that seemed to be the chief complaint from the neighborhood that we were getting. So like I said, we make sure we forwarded that noise and mitigation plan to the Board prior to today. We just wanted to convey that we're a part of this neighborhood as well. This is not just a... we don't see this as a business. We've seen this as being a part of the neighborhood, and we're hoping that we can get everybody on board today.

**COPPOLA** Thank you. Questions for the Petitioner?

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Okay, in your letter of May 5, you show the square footage of the facility at 4237 feet. Yet our Inspection Department shows it at 3534 square feet, which is a difference of 703 square feet. What? What's the difference?

**POTTS** Yes, I think per the lease, the actual square footage is 4237 square foot. Per the lease for the building.

**BARINGHAUS** I saw that on the lease document.

**STIERNA** Mr. Chair.

**COPPOLA** Mr. Stierna.

**STIERNA** I calculated the square footage based on a plan they submitted. So if there's any errors in the plan, well....

**BARINGHAUS** Okay.

**STIERNA** It would be fair to say....

**BARINGHAUS** Two source documents, basically.

**STIERNA** Yeah.

**BARINGHAUS** Okay.

**POTTS** Either way, that square footage would be big enough to accommodate what we're trying to get to from 49 to 150 people.

**COPPOLA** Since we last met, I believe it was in August. How many events have you had?

**DONOVAN DIXON** Since August?

**NAJAE DIXON** September 9 was the last one.

**COPPOLA** I'm sorry, the notice was August. I'm sorry.

**POTTS** Yeah, I believe it was four events since the last meeting, what I was thinking. Three. Three events since the last meeting.

**COPPOLA** Three events?

**POTTS** Yes.

**COPPOLA** Okay, and how did those events go?

**POTTS** I'm not aware of any complaints from those three events. It was October, on the fourth, eleventh, and eighteenth.

**COPPOLA** So they went off well, there was no issues, no problems?

**POTTS** Well, not that I'm aware of. Were you...?

**DONOVAN DIXON** Correct.

**NAJAE DIXON** We haven't heard any complaints from any neighbors, and no one called us or told us that they had any issues.

**COPPOLA** I remember the last time we met, there was a police call. Was like the first event you had, that you owned it, and actually was the former people that had had that incident. Was there an incident at any of those three events that you're aware of?

**DONOVAN DIXON** No, we've been attendant in those events as well. One of the parts of our plan to mitigate the noise and control the environment.

**COPPOLA** Okay, so now you have at least one of one of you attend all events or be there during the event?

**DONOVAN DIXON** Correct.

**COPPOLA** Is that going to continue?

**DONOVAN DIXON** Yes.

**COPPOLA** That's part of your...?

**DONOVAN DIXON** That is part of our action plan.

**NAJAE DIXON** If I may, I wanted to.... Hopefully you all had an opportunity to read the letter. So I'll just kind of focus on the main points of it, but just so that it is said during this meeting. You know, the request for it was for us to come back today with an actionable plan. And so we thought hard about that, and so we just wanted to outline that in this letter. So the first is one that we mentioned before, the security deposit. There's a \$300 refundable security deposit, which is collected for all of the events. This really helps us to promote accountability, so any violations from any of our policies will result in forfeiture from the client receiving that deposit returned to them. So that includes things such as excessive noise, going beyond the contracted event time, any kind of property damage, or any activity that really creates a nuisance for or disrupts community peace. The second part is implementing having event attendants present through all of our events moving forward. This really helps us to monitor the guest count, to ensure that the occupancy limits are met. Helps us to ensure that the music and noise is not excessive, so if we need to tell them to turn down the music, we can do that. And also helps us to manage the parking lot activity, discouraging from people kind of just even following events, just hanging out in the parking lot at their time to wrap up. The next one is just having those strict event times. So in accordance with the City's noise ordinance, so all events must end by 11pm, so the music must stop properly at 11pm, and then that final hour is just for cleanup. And so there really shouldn't be many guests left at all, except for the ones that are designated to take out the trash, including any event attendants that are present. And then the next part is just parking and traffic control. There were kind of complaints about maybe cars, maybe being on the street or in other parking lot[s]. I mentioned before that we have over 200 lots available, but in the event that there happens to be more traffic, that we can help to control that. And then finally, I think one of the most important pieces is continuing that engagement with the community, so including feedback and accountability. So we've shared our direct contact information with the local residents, so the hope is that it will encourage open communication, as has happened before. But should any concerns arise during or after an event, we invite the residents to send us a quick text, to give us a call to let us know, kind of like you will with the neighborhood watch. We can't be everywhere at all times. And so the hope is that they will reach out to us and let us know, generally speaking, we might have to, I heard this in the previous meeting that we had with you all, that we might revisit this in another year or so. But the hope is that we don't have to wait a year to know if this is working, that through them reaching out to us to let us know, "Hey, this is not quite working," that we can make adjustments in the moment. So the hope is that our neighbors will be open and engaged with us to help us meet this plan.

**COPPOLA** Okay, thanks. Any other questions?

**BARINGHAUS** Yeah, Mr. Chairman?

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** I know you did some outreach events with the community [inaudible] ice cream social. During your last three events, have you had any additional feedback from the residents, have they noted any changes, any differences and how you're operating versus the prior owners? Any comments?

**NAJAE DIXON** Not directly, unfortunately.

**BARINGHAUS** Okay. I see you have some guidelines in terms of music stopping at 11 o'clock, items like that, just sound management suggestions. Have you looked at anything that could actually establish decibel levels for noise coming from the facility? 60 decibels, you know within the area, have you looked at meters that could potentially measure and monitor it for you so you could show tangible evidence that you're complying?

**NAJAE DIXON** Absolutely. We do realize that those are in existence. I think the challenge for us is the decibels inside don't necessarily resonate to what you hear outside, and that's the part that we sometimes have trouble gauging. So what we hear inside is often you have to walk outside to really understand the effects of what it sounds like. And so we don't really have something we can put outside, but we can certainly kind of play around with the different equipment that they have.

**BARINGHAUS** Sure.

**POTTS** And that's another reason for reaching out to the community and providing the community with direct lines to the owners, because they do hear something wrong or notice something wrong, they have absolutely no problem getting a call from one of the neighbors and addressing the issue right away.

**NAJAE DIXON** So far, the other thing that we've been doing was, when our different companies come in, DJs and different people who have the speakers, they're testing their sound systems ahead of the event, and so they're adjusting their volumes. And I've seen, we communicated this with all of the DJs that come to the event space. And so I've seen them walk outside, go across the street, come back in and adjust it. So I've seen them taking those extra measures to ensure that the sound levels are appropriate.

**POTTS** And another thing we'd like [you] to know that on the website that most of these events that take place are familial events, but events that if they are going to be open to the public, they require actual security to be there in addition to the attendant. But most of the events that we host are familial events.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Yeah, a question for the Inspection Department. In the public announcement, we list the setback as zero, but I was looking at the rear of the building. There's

actually parking behind it, the other 60 feet from the end of the building to the end of the property. Is the measurement based on where the property line is?

**STIERNA** This is property line set back.

**BARINGHAUS** Okay, very good.

**ROTONDO** Mr. Chair.

**COPPOLA** Mr. Rotondo.

**ROTONDO** My question is for the Petitioners. So obviously, you guys have talked about ending the events by 11pm and making sure the guests leave. I know we've had some resident concerns about loitering in the parking lot and noise. What is, I guess, what's your control for mitigating people hanging out in the parking lot after 11pm?

**POTTS** I guess that's where the on-site attendant comes in, because they're able to control make sure that people leave, in addition to the fact that even if you have people lingering outside, that will be something that you would lose your security deposit for as well.

**ROTONDO** Okay. I guess my concern would be, typically events like weddings or ceremonies or things, people are drinking. And obviously they may be calling an Uber or something, and so they may have to hang out outside. And obviously, when people are drinking, they're not typically quiet. So that's, I guess, one of my concerns.

**NAJAE DIXON** Yeah, directly addressing that, going out there and say, "You know, hey, you either, if you don't have anywhere to be, can't be here." That's just kind of our conversation that we have with them, asking them to, if they do, that usually doesn't happen when people are lingering, but we're usually there, so even after the events have ended, we're there still cleaning up and stuff. So we are knowledgeable about if there's still people in the parking lot, so it's the job or the expectation of the event intended to go out there and ask them to leave.

**POTTS** Yeah, and also that's not an issue that's necessarily related to crowd size, because you're gonna have an event with 50 people and everybody over there, and they still could be lingering in the parking lot. So I don't think that's directly related to crowd size. That's something that could happen with 49 people as well as a hundred and fifty people.

**ROTONDO** Correct. I guess the bigger concern is that it's so close to residential where, if people are hanging out outside, I'm sure the neighbors would probably hear them, I mean, and then I guess you had commented and just kind of said that you would ask them to leave. But I guess if they didn't have a ride or something, where are they gonna go?

**POTTS** I mean—

**ROTONDO** Other concern, are they gonna go into the neighborhood? Where are they gonna...?

**POTTS** I think they tend to, could let them back in, just because the event ends at eleven, but they may have the venue until twelve, because the 11 to 12 hour is for cleanup. So

it's not like they would have to stand outside. They can literally stay inside while they're cleaning up and wait for their ride, if that's how they got there.

**ROTONDO** Gotcha. Okay. And then another question, and this kind of goes back to Chairman Coppola's question, but I was just... in doing some research, I kind of was made aware that there was police service call to this facility on 10-4-25, do you guys have any comment about that?

**NAJAE DIXON** Yeah, there was one....

**DONOVAN DIXON** So this incident occurred after the event took place. So the event was finished, to our knowledge. So we were in attendance. I personally was in attendance inside of the building. When the police arrived, the guests were in the middle of cleaning up the facility. So the incident was an isolated incident that happened outside while guests were leaving. When police came, they gave us as much information as we could be privy to, but from our understanding of that, that was a situation that was isolated, handled in that moment, and did not spill over from there.

**ROTONDO** Okay. Is there any further information as to what happened, or...?

**DONOVAN DIXON** We did give the police our information, so as they needed to contact us that they could. We have not been reached out to, so we imagine that the situation had been handled.

**NAJAE DIXON** It happened, as you mentioned, outside of the event, so it didn't happen inside the event. So I don't have more information as to like, what exactly occurred, or what happened, because it didn't happen where... something that we could see it, like witness.

**COPPOLA** When you say outside the event, you mean in the parking lot?

**NAJAE DIXON** Outside of the event happening.

**COPPOLA** So... but it was still on the property.

**POTTS** I think when she's saying that... outside of the hours, like if it happened... when did it happen?

**NAJAE DIXON** After the event.

**POTTS** Do you mean [inaudible]?

**COPPOLA** Between eleven and twelve?

**DONOVAN DIXON** No, this is actually earlier in the day. So if I recall correctly, that event ended at 7pm or 6pm and that was after 6pm when this occurred.

**COPPOLA** Did your customer forfeit their deposit?

**DONOVAN DIXON** They surely did. That was in direct violation of our agreement.

**COPPOLA** Okay. Other questions?

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa and then Mr. Meagher.

**TESTA** Sorry. To the Petitioner, so thank you for formalizing what you're calling the noise and crowd mitigation plan. You talked about it last time. Can I ask how much of this is new process and procedure versus what you had already been doing?

**NAJAE DIXON** The biggest one is the event attendant. I think, to be fully transparent with you all, it's my husband and I. We're running this, and we also have a little one, and so I tried to make it where, you know, for a certain capacity, there would be an event attendant, so we're usually there at the beginning for the first three hours, and then usually in that last hour for cleanup. And that has worked really well with our schedule. And so making it so that the event attendant is there throughout the duration, and so knowing that if he and I can't be there, that we have to kind of call in for reinforcement. So I think that is the biggest thing, and I think it really addresses largely, many of the concerns that you all had.

**TESTA** Okay, thank you. And I can't remember the first meeting you guys, we heard your case. At least, I believe this is the third time you've been here. At the first meeting, you talked about one of the reasons to increase to 150 is one, you thought that was the capacity or the what you were allowed to do when you bought the place. I think at the time you mentioned you had two, one or two parties under contract that were going to be coming up that you had already signed for. Might not have been 150 but it's definitely more than 50 people. How many parties do you have currently booked in the future that would be in violation of what you're approved for today?

**NAJAE DIXON** I'll look at that directly. I don't have the number for you right away, but I can....

**TESTA** It's grown since the last time we-- the first meeting. I think at the first meeting, you had one or two parties coming up. I think it was later this year, early next year, that was a higher number, that that number has grown in terms of the number of parties?

**DONOVAN DIXON** Not the number that are over the capacity. But like you mentioned, we do have parties even booked out to early next year.

**TESTA** Okay, and what is the number those parties are booked at in terms of number of attendees? Where I'm going with this question, I want to see, is one-fifty... you really need 150? Could we? Could we lower? Can you accept a lower number?

**DONOVAN DIXON** I think that if that's the decision that had to be made to get this decision move forward, we would be all right with that. Now, would it hinder our business? Yes, that is how we currently operate. So I think one of the misconceptions here is that we're going to be increasing the traffic size, when reality is it's going to operate how it has before in terms of the traffic size. So nothing's going to increase about that. We're just trying to go about it the proper way and get the zoning for it.

**TESTA** Okay, could we maybe talk about a little lower number. Would 75 people be a number you could live with?

**POTTS** That is something that we discussed internally before. And before I address that I just learned, and I wanted to share this for the record, that that event on October fourth. It wasn't like a neighbor that called the police. It was actually someone at the actual event. I guess there was a disagreement amongst the family members. So it was actually an event attendant that called the police. So I'm not sure that is something that spilled out and affected the neighborhood, because it was like someone internally that called the police. Now we did two things that... a few things that we discussed prior to coming here was, is the lower number possible that we can offer, and the review plan that was mentioned last time, maybe do a conditional approval and revisit this within a year. Yes, we did explore a lower number, but we figured that our bottom line, in order to stay in competition with other event spaces in the area, that the bottom line will probably be around 125, I know it's not the 75 number that you put out there, but that would be a compromise that we believe that we could work with, and even if it's a conditional approval under 125 just so we can reiterate that we can make this work. I think again, this is very important to emphasize that most of the complaints that come with this property came with the prior owners, and the previous complaint prior to this one, I guess that happened on October fourth. The only previous complaint was an event that was actually hosted by the prior owners that happened really early on in their ownership.

**TESTA** Okay, thank you. I think the only way I can be in support of this is if we did make it time bound, like just throwing a number out there: one year. In that case, you'd have to come back to renew it. Would that be something you're open to?

**POTTS** Yeah, I think that's something that we can accomplish. We already discussed that that's a possibility, and we would be all for that. Like I said, I commend them. Usually, when I have clients, I have to do the heavy lifting. But this couple, they're very serious about their business, very serious about doing this the right way, and looking forward to engaging with their neighbors and getting this right.

**TESTA** Thank you, Mr. Chair.

**COPPOLA** Thank you. Mr. Meagher.

**MEAGHER** Question for the Petitioner. The last meeting, we really talked about the neighborhood impact, and what I've heard is that you've done reach out into the community, we have letters from four people. I'm wondering, I don't know if I'm jumping the gun with the letters here, but my question is more for the four people that wrote in, have you guys reached out to them specifically to hear their concerns?

**DONOVAN DIXON** Yeah, we reached out to them specifically. I don't believe any of them possibly have changed their minds. Some of them have actually stated not to contact me anymore, or don't invite me to your socials. I just believe there, unfortunately, there's some people that that we're not going to be able to change their mind. We just have been trying to convey that we've been working really hard to be a good neighbor because we are part of this community and to address any of their concerns. Yeah.

**MEAGHER** Okay. And then the other piece of that community communication, it says, "Contact information is posted on site and shared with nearby residents." When you're sent--

and then you also mentioned, "event staff or directly to us," is that... I'm making the assumption that it's you two, and not a staff of other people?

**DONOVAN DIXON** Correct.

**NAJAE DIXON** Correct.

**MEAGHER** Okay, so are you doing that preemptively, to say, "Here's our phone number. Reach out."

**NAJAE DIXON** Yeah. Well, we have already, yes. So actually, one of the local residents that are present here today has our direct contact, and he has reached out to me, although it was after the fact he mentioned that the music was too loud, but had he told me in that moment, "Oh, didn't realize. We can go in here and cut that down, if that is disturbing to you." And so that was my feedback to him. When we had our social event, I did the first meeting that we had. There was a local resident. We exchanged contact information, and I invited them out directly to that event. And then I also, when I had the contact information of the folks, I gave them a call directly. So I have made those attempts. And as the attorney mentioned, I think right now, what we're dealing with is just kind of the resistance to change, unfortunately. So I'm not really getting a lot of good feedback, but I'm hoping that through this, I think time heals all, and so once we're able to just kind of show that good faith effort, that hopefully we'll be able to turn down some of those barriers.

**MEAGHER** Okay. And then the last question I have is, in one of the letters that mentions that there was a broken... or the wall, the barrier between the building and the neighbor was somehow damaged during one of the events. Do you have any....

**DONOVAN DIXON** When would that have been? Did they specify when that event was?

**MEAGHER** I don't think so.

**DONOVAN DIXON** Unless that happened in the past 24 hours? I've been there and there was no damage.

**MEAGHER** Okay.

**BARINGHAUS** I visited the property today. I didn't notice anything like that. Not to say it doesn't exist, but not from the sidewalk area.

**NAJAE DIXON** And it also presumes that there's this, you know, it was us, or had something to do with one of our events, which we cannot get certainty. There's no cameras back there.

**MEAGHER** Okay. Thank you.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Question for either Mr. Fisher or Mr. Stierna. The business use level at 49 and then the assembly use level at one-fifty, were those consistent from the time the business started in 2021 or was there some ordinance revision in the interim?

**STIERNA** The business started in 2021. Was not registered with us. They were.... They registered under an enforcement. We established a business level of 49 persons through a discussion, through the Director[s] of Building Inspection and Planning, to try and keep it as a business use which would be allowable there and kind of fit what we were trying to craft at the time. As it increases, obviously it changes its use also, under building code.

**NAJAE DIXON** If I may. Can I interject? It's my understanding that the change in use in terms of assembly, that that kind of policy, or that code came into effect after the business was in existence, so...?

**STIERNA** No. Building code has been consistent since 2015 on that matter.

**NAJAE DIXON** I'm sorry.

**STIERNA** But as far as assembly--

**NAJAE DIXON** The 300 feet from a local, like one of these types of businesses 300 feet from a local resident. That's a bit newer, though?

**STIERNA** That is a change since the original business there and direct result of the previous business. So it doesn't change that it was only approved for 49 people.

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

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** Thank you. Question for the Petitioner, if I was a neighbor living in the area, how would I know if you're having an event that night? I was just looking on your website. I don't see a calendar. Maybe I'm missing it, though.

**NAJAE DIXON** I suppose you wouldn't.

**TESTA** Okay.

**DONOVAN DIXON** Hopefully you would. There should be....

**POTTS** Yeah, I think that's the goal.

**MEAGHER** No nuisance.

**TESTA** Okay. Would you be open to putting a calendar on your website that maybe a neighbor could look and say, "Hey, this next weekend, there is an event coming up," not looking for like the name and number of people, but just that you're booked that day, and an event is happening.

**POTTS** Well I mean, that may already exist, if you would, I guess, try to book an event for a certain date. That would indicate that it was booked. But, I mean, if they're looking for, I mean, first of all, they can always reach out. They have direct lines. If they don't want to or don't feel comfortable reaching out. I guess putting an event calendar on the website is something that we could accomplish.

**TESTA** Thank you.

**HAKALA** Mr. Chair.

**COPPOLA** Ms. Hakala.

**HAKALA** All right, I will try to talk loudly. Please forgive me. So I understand number one, I appreciate having the letter outlining everything you're trying to do. But one thing: the ordinance starts, I'm sorry, the noise ordinance starts at 11pm. Would it be possible to kind of move up music stops, maybe to 10:30 or 10:45, just so that last song, if they start playing a 10-minute-long song, they don't want to stop at the middle, just to give a little bit more buffer zone for the residents.

**NAJAE DIXON** That's very reasonable.

**HAKALA** Then it's done, done before eleven.

**NAJAE DIXON** That sounds reasonable.

**HAKALA** And then my other concern is, I guess you are requesting this... the security deposit, but nothing is really happening for the residents. So like, in the case where they do forfeit the \$300, the residents are kind of still Sol, right? Like, they don't have any sort of benefit, but I don't know, I guess. What would you do for them in this situation?

**POTTS** I think, well, if they forfeit the security deposit for something... like, for example, if they're playing noise too loudly and they get a complaint, they forfeit their security deposit for that. I mean, technically, that could be a blight violation. And if they were having a blight violation, they would have to pay. My clients would have to pay a fine. I'm not sure how that fine money affects the City or the community, but I mean, technically, like I said, if they get violated and forfeit their deposit, and my clients get hit with a blight violation, which is very possible, and they have to pay a fine, that money goes to the City of Livonia.

**NAJAE DIXON** But I think to answer your question, I first want to just start by saying, while there may not necessarily be like a direct or like monetary benefit for the local residents, I think number one is that our goals align with that of the residents, and that \$300 security deposit is a strong deterrent from even things just not happening, right? And so you're talking about the event that those things did happen, but it really is a strong deterrent. People are working really hard to get that money back. So I would say our goals is that it aligns with that. And so we're not looking to pocket that money or, you know, make our profits off of that. It really is just... it's just one of many of our components to try to incentivize our clients and to show, hey, you know, our support of the community members. But I think to make that point a little bit stronger, the second thing that I attached was the Good Neighbor Policy, and so I will be including that in all of the contracts. And so they will be, our clients will be signing that. They will be seeing that. And that's

another part of that \$300 security deposit. So they know, "When I'm exiting, there's a home here. I need to, you know, be mindful of that and be quiet." So I'm trying to kind of make up for the lack of that a little bit.

**HAKALA** And a couple more things. One, what have you done to the building itself, to kind of reduce sound... like sound attenuation outside? Have you added anything to the walls? Have you.... Is there anything in place to keep those back doors closed? Because as soon as those open, that's when all the music comes out, right?

**DONOVAN DIXON** So I can address both of those. No, we have not done anything structurally to the building. However, one of the checks that we do for each event, I personally, will check the DJ's equipment, if they are providing a DJ. Most of these events will use our in-house Bluetooth speaker, which if you turn that thing to the maximum, you would not hear it down the block. You wouldn't hear it across the street. So most of our events, we utilize that equipment, but any events that do not, I personally do check with the sound or the DJ. For one, subwoofers are the biggest thing that produce noise, rattling buildings, we don't allow for the subwoofer to take place. It's not even necessary in our building to fill up the rooms with sound. So that is one of the biggest things. I will literally check with each DJ who is going to be in that venue, and make sure that they know what the surrounding area is like, and that... what the noise expectation is.

**HAKALA** Can you add something to the effect of "no subwoofers allowed on site" to your policy, just so that they are clear beforehand?

**DONOVAN DIXON** We sure could.

**HAKALA** And then, given this has been going back and forth, have you guys honestly looked at any other properties in Livonia to see what other options there could be?

**POTTS** Well, I could address that. I know they have a lease with Beulah Properties. I've represented a bunch of people who lease from Beulah Properties before. Yeah, well, JFC, that's the name of the company. They're not getting out of that lease without a fight, and if they do get out, they try to get out of that lease they're going to get sued for the balance, at least, because it's a commercial lease. You take the property as is. So like I said, I don't really fault the landlord for this. There's more representations that people who sold them the business made at the time they were purchasing. But if getting out of the lease were that easy, they probably would have looked at another venue, possibly. But that's, that's not really something. that's [inaudible].

**HAKALA** When does your lease end?

**NAJAE DIXON** We just finished our first year, so we still have two years.

**HAKALA** Okay. That's all mine.

**COPPOLA** Okay, anything else for the Petitioner? All right, seeing that there's none, if you guys can step aside just for a minute, because I'm going to go for audience statements. Just to remind everybody who wants to speak, you're limited to two minutes, so just go ahead and, I guess, step up if and when you're ready to speak. You can break the seal.

**CAMERON** Hello. So I'm a neighbor. Ken Cameron, 29160 Terrence.

**COPPOLA** Speak up, if you would, please.

**CAMERON** My name is Ken Cameron, 29160 Terrence.

**COPPOLA** Thank you.

**CAMERON** Direct neighbor, right across the right across the way from the gallery. That's a lot that went on. So I don't know if I can get it all out in two minutes. I think one of the biggest issues has been over the last three, four years that has been going with them or without them, is the number of one-fifty. 150 is a lot. It's really big. The three events that they-- that have happened recently have been small, and they've been much less intrusive. So I think the number is really an issue. The variance to 150 I think will always cause some issues and some problems. I think it's just too big. It's a small spot. It's right in our backyard. I think it's very difficult to mitigate the problems at one-fifty, so I just think it would be a bad situation to go there. I think the \$300 thing that they're the deposit they have, that they take, is probably too low. Let's say you have a party of 150 people. And it's rocking and it's going pretty good. You think you're gonna care about 300 bucks? I don't think so. I think it's too small of a deterrent. The DJs not having subwoofers, I think would help a lot, because it's really been loud. So maybe that's a good thing. So the numbers are...[have] been too big.

**BARINGHAUS** You have 30 seconds. You have 30 seconds.

**CAMERON** I'm sorry, I'm just rambling because I got a lot to say. There's a lot going on. Anyways, I just hope we keep the numbers small. It's in our neighborhood. It's in our backyard, and when it's big, no matter how it's mitigated, it's going to be tough for us to deal with. It's right next to us. [Inaudible] Thanks, guys.

**COPPOLA** Anyone else? Step forward. I'll just need a name and address first, please, when you get seated.

**KUCHINSKI** Hi, everyone. I'm Laura Kuchinski, the founder and owner of Tail Waggers, 16322 Middlebelt. We are directly across the parking lot from Social Event. The three things that I have a big issue with, and it's been the common denominator, is the liquor bottles in my parking lot, scattered around my dumpsters, by the back door. Actually, it's four. The smell of weed that is very prevalent when they're having an event, and the loitering that happens at our building. So you come into my property in the back. We come in the back door. I park there. We are there pretty much seven days a week. I live around the corner on Deering Street, so I tend to come by and run through my parking lot quite a bit. And I'm actually there seven days a week. And the times that there has been events, and I can't say all the time, but there have been times when they have been having events, the parking lots are full. There has to be more than 50 people in that establishment, just by the number of cars that are there for that event. But I get uncomfortable pulling up to my own building with people sitting directly with their backs against my door, to where I have to ask them to move. I have keys to get in. I have a dog I'm bringing with me, and I go to walk in and they're throwing cigarette butts on the ground, and they're getting up and they're just hanging out there. I don't like it. And if it's at night, there was one instance at night where I actually had to call Livonia PD, because one of our back doors was open. I'm not saying it's directly related to the event that was happening.

**BARINGHAUS** You have 30 seconds.

**KUCHINSKI** I understand, but I don't like it when we're going in and out of there alone, and I've got people loitering, and then afterwards, the liquor bottles and the residuals and even party favors falling out of our dumpster, which obviously came from there, because we're not throwing parties, we're veterinarian medicine, so that's my biggest concern.

**COPPOLA** Thank you.

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** Thank you. Thank you for coming to speak tonight. That's very helpful information. Can I ask? Have you had any conversations with the owners?

**KUCHINSKI** I have not.

**TESTA** Okay.

**KUCHINSKI** I have not, and that falls on me. I should have, but I have not. I just, we're just coming down to our slower season, so it might be something. Thank you.

**TESTA** Thank you.

**SARAFA** Good evening. My name is Dr. Nazar Sarafa. I'm the owner of Karen's Corners, which is the plaza directly north of the subject property. Many points of concerns, the main one is the parking. So when I increase the capacity from 49 to a hundred and fifty, 100 people, we're talking about, what? 50 cars? Where are these 50 cars gonna park? Extra 50 cars? The Petitioner says there's 197 parking spaces. She's correct. According to the Google satellite map, there is, but that's for the whole plaza, not for them. So I'm very concerned. We already noticed several cars parking on our property, during which we have businesses that their main time, their busiest time, are the weekends. Friday, Saturday, Sunday. So that can affect us tremendously. Besides, if I'm buying a business, the first thing I will do is check with the City and to see what is allowed, what is not allowed for this business. You know, I'm not going to get surprised like that. And also, my understanding is, after a hundred -- correct me if I'm mistaken -- capacity, you require a fire suppression system. I think that's what the ordinance is. And there's also requirement for more bathrooms. I mean, the... to increase its capacity, a lot of things have to change.

**BARINGHAUS** You have 30 seconds.

**SARAFA** Okay. As I said, I'm the owner of the property north of them, nobody approached me, so I don't know what reaching the community is all about. I'm not going to talk about the noise and all that, but I think that should do it. Thank you very much for your time.

**COPPOLA** Thank you. Just a quick question, did any of your tenants complain to you?

**SARAFA** Yes.

**COPPOLA** They have.

**SARAFa** Well, Laura is one of my tenants, and we have several tenants that have complained. Yes.

**COPPOLA** Okay, thank you.

**SARAFa** Thank you.

**COPPOLA** Anyone else? Going once, going twice. Oh, Mr. Testa, I'm sorry.

**TESTA** Back to the Inspection Department. I think the first meeting we had talked about number of parking spaces there. They have a kind of an agreement with the plaza that, basically, I forget the name of that, is a communal parking there is enough spots on site for that capacity of one-fifty, correct?

**STIERNA** Typically, we also count, typically, two guests per car, so that would reduce the number of parking spaces required based on that.

**TESTA** I remember a detailed discussion about the number of bathrooms. I thought there wasn't enough. But by...

**STIERNA** No. To the doctor's credit, yes, the difference is, under the building code the types of use they're going from a business use to an assembly use, which would allow for fewer bathrooms, assuming that you've got a little bit more of a transient nature of your guests. It does, however, require additional changes to the structure of the building because they are adjacent to a business use, which would require the existing partition between the two businesses to be increased to a firewall design, which would be requested by the Inspection Department as part of the agreement tonight, if any.

**TESTA** Okay that that wall doesn't exist today, obviously. And do they need the fire suppression system as well?

**STIERNA** They do need a fire suppression system, as I recall from my inspection there, they do have an existing one. It may need some updates, but that would be subject to inspection by my Fire Marshal.

**TESTA** Thank you.

**COPPOLA** All right. Thank you. Anything else? All right. Do we have any...?

**KLISZ** We do. We have four letters, the one gentleman spoke.

**COPPOLA** Okay.

**KLISZ** Letter from Cheryl Bush, 29181 Terrence Street (Letter of objection was read). A letter from James Kline, 29210 Terrence (Letter of objection was read). And objection, Cassandra Addington, 29075 Terrence, (Letter of objection was read). And then Mr. Cameron's.

**COPPOLA** Okay. All right, Mr. and Mrs. Dixon, anything you'd like to say in closing, and feel free to respond to any of the comments that were made, either by the audience or in correspondence.

**NAJAE DIXON** Sure. So I suppose, in closing, I first will start by saying that we are, we're part of this community, too. And just like many other businesses, when people come to one business, they often are patronizing those that are nearby. And so I do think that we are a benefit to this community, and the areas in which there has been concerns, like we are doing everything in our power to address all of those things. And so again, I hope that moving forward, that community members will reach out to us. We have been open, we have been reasonable. I think that's the main thing that I really wanted to address is just to implore you all to be mindful that that we are equally a part of this neighborhood. In terms of bottles and things of that nature, I want to say that it's also painting a picture of what type of clientele that we have, and the reality of it is, we host 90th birthday parties. We host baby showers that often don't have any alcohol at all. We require them to have a bartender, so there shouldn't really be any bottles in the neighborhood, because these are drinks that are poured. Our clientele are usually of older adults, more mature crowds, just looking to celebrate milestones. Again, the birth of life, or to celebrate special occasions and weddings. And so I just want to implore you all to consider some of the events, family events that you all have been to that usually is what is reflected in the type of events that we host. And so, yeah, I suppose I'll leave you with that.

**POTTS** The only thing I'd like to add, without any specific dates, it's really hard to address some of the complaints that were spoke about, like instances where they say trash was left and things of this nature. Because, like I said, my clients have been really adamant about reaching out to the community, and they need to get feedback about these complaints in or when they took place, so that they could properly address them. And we're not even sure it's related to my client's business. We already addressed the parking and traffic. Number one, this is a shared lot, but most of the time, these events that take place don't take place during normal business hours. They take place most of the time on weekends and sometimes after hours to end by 11pm. There's no issue with parking. There's plenty of parking there. Like I said, if people are going to be drinking, most of the time they're not going to drive. And most people, a lot of people, ride together. I think my clients have literally done everything they possibly could to show that the community that they're in that they feel like they're a part of the community. They're trying to engage the community, and they're trying to do things the right way. This business operated before they got it. It was 2023? This business operated for about four years before they acquired it, and the people who owned it prior didn't even try to operate it the correct way. They didn't try to engage the community. They didn't necessarily care how they impacted community. They didn't go about trying to get the correct permits, or if they did, they certainly ignored them. The first thing my client did once they took over the business is try to go about things the right way. This is literally the third time we appear in front of this Board. We have taken all the suggestions in stride, reached out to community. We're open to lowering our ask so that that would require a motion to amend our application, to shorten it to 125 people. That, we have no problem with that. Like I said, we can make the additional amendments to the website that we need to make, and anything. And, like I said, we have no problem with the review period, too. We understand, my client now understands what they got into by signing a lease and going based off what the seller represented. But I mean, everybody, we learn every day. I continue to learn. Everybody continues to learn. So like I said, we're doing everything we possibly can, and we're just hoping that we can get the votes in our favor today.

**NAJAE DIXON** One super small last thing, because I know we want to move it along, I also want to shout out my wonderful husband that, you know there was lots of complaints about trash and bottles. He's up while I'm home with our little one. He's up two, three, four o'clock in the morning, he's out there cleaning. He's picking up trash. We're looking outside. And so I just, I just want to big up him too, because he's out there and we're out there doing the work, no matter the time, no matter the sacrifices that we have to make. And so we are serious about this. And so I just wanted to mention that small thing.

**COPPOLA** All right, thank you. I'm gonna go ahead and close the public portion of case and start the Board comments with Ms. Hakala.

**HAKALA** So I'm still, I don't... I want to hear what you guys have to say, too, but at the moment, I really don't want to see a small business go down. I want to see you guys succeed, whether that means changing things to down to 100 people to make other people happy, or... I don't know if it's within our jurisdiction to say they can't renew their lease at that location after it's expired, is that something we could maybe tag on to this so that, like they could find another place, give them time.

**FISHER** Within reason you can put just about any condition you want to on to do this.

**HAKALA** I guess I don't want to see it tied to the property. I want to see it tied to the business. And I don't know how that would have to go about to work. But like I said, you guys have done a lot, and you've clearly put in the work and effort, and I think it's a lot of uphill battle for you, against neighbors who don't want to see any change, but I would like to hear what my colleagues have to say.

**COPPOLA** Mr. Testa.

**TESTA** Thank you, Mr. Chair. So this is a tough one, and you guys are in a tough spot as well. Obviously, the owner that sold the business, previous owners did a disservice to you, misrepresented, and as we talked about in the previous meeting, some of the reputation that you guys have is based on the previous owner. It seems like you're trying to do the right thing. You've had the outreach. You've come before us. Now it's the third time. The previous two times you came before us, you took it to heart what we asked, and tried to try to do some of that. Some of it worked. Some of it did not. It is tough to hear from the neighbors. Mr. Cameron, for example, lives right across the street. I feel for him. I can understand that situation. The reality, though, is you're kind of already operating in a situation where I want to say there's no rules. What I like about you put together a plan. So what I'm thinking is, if we approve something tonight that's time bound, it kind of holds some accountability to you guys to try to improve the situation, because you're going to want to come back at some point, whether it's six months or a year, or whatever that time frame is, to get approved again. To me, that seems like a way to put a little bit more pressure or onus on you guys to get the situation under control a little bit better than what it is today. Hopefully that improves the situation for the neighbors in the neighborhood. I threw out the number of 75 people. I thought that was more appropriate based on currently for fifty. 125 does seem a little high. I do get what you're talking about from competitiveness. I did quick research to other company-- or other businesses around to stay competitive, but I think maybe we really need to prove your case at 75 or a lower number, and then if you guys do keep it quieter, there's less complaints. Have you guys come back and maybe next time we can increase. But that's where I stand. I can support as long as there is...

it's time bound, and a lesser number than 150 and you put into place this noise and crowd mitigation plan.

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

**MEAGHER** Yeah, I don't think my tone has changed all that much from the last meeting. I want you guys to succeed. I think the... I think... All right, so we have to make the decision based on hardship, Master Plan, the ordinance and concern of neighbors. And I think the concern of neighbors is the one that has continually come up. You've put together the code of... or good neighbor policy, which I think is great. Very... it's very clear. I think having maybe one or two more things, whether it's a condition or not. I don't know if, I don't know where it would fall, but you know, something as simple as, hey, we're not going to park. Or you tell all attendees, don't park in the lot north of Terrence, right? Like, that's an easy fix for something like that to have in the policy, rather than having to set out cones or something like that. I don't like the idea of a public calendar from a marketing perspective. That seems like that could hinder basically, whether or not people think you're successful or not or want to book with you. I like the idea of have, I mean, anybody can call you, that's the... confusing part is your number's everywhere on the website and all your paperwork. Looking at average parking lots per attendance, the average is three. Looks like. I mean, that was a quick Google search of seeing what that is. So I don't think if you have 150 people, every single person would be bringing their own vehicle. That's unreasonable at Walmart, right? Like, that's not how they calculate their their size parking lots, either. So I, I get the hardship. I think the concern of neighbors is really what I come back to, and really besides the things that I just said, which I don't know if we need to put in as conditions, or, you know, make sure it's added to a good neighbor policy, or whatever it is. I'm for this with a reduced number. I think that we could agree on because I think the number of people is what is causing the concern of neighbors. I think 75 feels very low to me, though. We're not, I don't think they're trying to compete with Laurel Manor with 1200 people. These are smaller, like I said, family, family-run events, baby showers, that kind of thing. Maybe not one-fifty, but a different, different level. So that's what I got.

**COPPOLA** Okay, thank you. Mr. Rotondo.

**ROTONDO** Yeah, thank you, Mr. Chair. I do want to thank the Petitioners. I know you guys have been to a few meetings now, and I do appreciate the fact that you guys have taken some advice and tried to try to make ends meet with neighbors. But I am, unfortunately, I'm going to be against the variance tonight. I don't feel that this property is appropriate to be a banquet hall. Obviously, it was developed as a strip mall. It was never really intended for banquet hall usage, and with it being so close to residential, obviously that's why you've had so many neighborhood complaints. It's just it's difficult with that, that business model being so close with residential, obviously we have the 300-foot ordinance in place, and I think that's a good ordinance. I think that that is in place for these reasons to try and give a buffer zone between residential and an event center. So I just don't feel comfortable granting a variance over that ordinance. And then I also think that that could set somewhat of a bad precedent for our Board going forward. So I'm going to be against this. Thank you, Mr. Chair.

**COPPOLA** All right. Thank you. Secretary Klisz.

**KLISZ** I thank the Petitioners as well. I think they've tried their best here. Unfortunately, there's still some problems. So I think Mr. Testa was kind of hitting on what I was thinking about. I think a number of a trial run would be at a hundred. It's double what you have,

but it's not triple, what you're looking for. And to have a year's time, because a lot of these complaints, again, could be old. They could be lingering complaints from the old business or from before things were fixed by you guys. So this will give us a chance, because if we come back in a year and there's 10 letters and 10 neighbors saying, "This place is violating the terms and violating the rules," then you know, we'd have to make a decision at that point in time, but it gives you guys the chance. I think it's worth moving forward with that on a compromise basis, with the rules in place and a time limit. Thank you.

**COPPOLA** All right. Thank you. Vice Chair Baringhaus.

**BARINGHAUS** Okay, thank you. Yeah, I'd like to thank you for your efforts, also, for what you've done in terms of the policies and guidelines you've placed in the meeting-- placed on the business, rather. What I'd like to see is I agree that, you know, we should put some kind of time review on it, possibly a year. I'm a little hesitant to put restrictions on your level of business. I think to ideally evaluate it, you need to see how it performs based on what decisions you make in terms of how that business operates, hours of operation, noise levels, what you feel your crowd capacity is realistic for that facility. In terms of that, I'd recommend that you also put some clear metrics in on your business. We talked about establishing decibel level standards. Do that. Also one thing, I think you're making an effort to rehabilitate a business that really didn't care what the ordinances were, what the reaction was to the general public, and I don't think you're being fairly judged. Also, I'd suggest you really walk the property, your immediate property. The way you're getting blamed for debris, and people that are loitering across Middlebelt, well, well north of your property. I don't think that's a fair assessment as well, but I'm willing to look at a one year trial basis. I'm willing to look at a review within one year, and then also see how the public is reacting to your operations after you've had some time to... I mean, a genuine time frame to put those into place. Thank you.

**COPPOLA** Okay, thanks. Kind of echo with what I had stated in our last meeting. First of all, again, I think business, the ability to run that business and that location, was misrepresented. Unfortunately, you didn't double check and do your diligence and that we're here where we are today. I think you've done everything you could to mitigate the issues that have been brought forth. And I think you probably run a good business. But my perspective is, that type of business doesn't belong in that type of facility. And the main concerns I have are, we know we talked a little bit about time limits and stuff, and we can talk about whether we're capable of really doing that, but the waiver that's provided is not to the business, as I asked Mr. Fisher, it's to the facility. So two and a half years, or two years from now, when your lease is up and they and the business property, which actually is, should have been the party that was asking for the change in zoning [for the] business that's in there, not the lessee, the lessor should have been... anything could go in there. And we've lost complete control over that property. So basically any banquet facility owner can go in there because we provided this use variance, and then also the zoning waiver for the 300 feet. So that creates a real problem for me. I have heartache over that. And then number two, it's... and I think, as Mr. Rotondo mentioned, it sets a precedence. So now they've seen that we've allowed a banquet facility in the strip mall, and people are going to come and want to have banquet resources in the strip mall, and it's going to be very hard for us to say, "Well, no, you can't, just because they did, but you can't," and it creates not only a conflict for the Board, but could create legal conflict for the City, because we've allowed it. So from my perspective, I'm not-- I again, and this is nothing in regards to your business. I think you guys have done everything, everything you could, to make this as acceptable as possible, but based on the factors I just mentioned, I can't support this, so I'll go ahead and open up the floor for a motion.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Resolved that the variance sought in Appeal Case No. 2025-05-15, filed by Najae and Donovan Dixon, be granted for the following reasons, and finding of facts: the uniqueness as a business is met due to the location of the business at its current location. Denial of the variance would have severe consequences for the Petitioner due to its inability to operate at that site. Variance is fair in light of its affecting-- effect on neighboring properties, and in the spirit of zoning ordinances, due to its operation not conflicting with other businesses in the area. The variance... the property itself is classified under... as C-1, Local Business, 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 business operations be reviewed after a period of one year to see how it complied both with ordinances and how it worked with the residents in the area as well. And that's where I'm at.

**COPPOLA** I have a motion on the floor. Any support?

**KLISZ** Support.

**COPPOLA** I have a motion by Vice Chair Baringhaus, supported by Secretary Klisz.  
Discussion?

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** I would like to propose to reduce the number of occupants or, sorry, guests. I do get Mr. Baringhaus's comment about doing it 150 because that's what they're operating at, to truly test them at, but I'd rather put them in more of like a test phase for a year. So I agree with that part of it, have them come back and if they want to increase it at that point, because they've had better success, then we could visit it from there, I don't think I can vote yes on a 150 number. I could vote yes on a lower number.

**COPPOLA** Do you have a proposed lower number?

**BARINGHAUS** Do you have a... yes?

**TESTA** I'm open to that. I was more comfortable at 100 but that... I could be swayed on a different number.

**BARINGHAUS** 125, split the difference?

**TESTA** Anyone else?

**KLISZ** I supported the motion. I would support that.

**COPPOLA** Which one?

**BARINGHAUS** Which one?

**KLISZ** One twenty-five.

**TESTA** Thank you.

**COPPOLA** Mr. Fisher.

**FISHER** Yes, sir.

**COPPOLA** How does the condition that it get reviewed on a year? Is that workable? Or, if not workable, what is... what would be?

**FISHER** Well, you know, I'm not personally partial to time variances like this. I don't like them, but if we're going to... in a situation like this, where we've got so much sort of at stake, I guess I can swallow my distaste for it, and....

**COPPOLA** I know that. Help me understand what, from your perspective, are the primary factors that create that in this space?

**FISHER** Well, number one, I don't think it's consistent with the idea if you do it all the time, it's not really consistent with this idea that....

**COPPOLA** We don't do it all the time. We didn't... we have done it. We did it just recently.

**FISHER** I don't mean to suggest you do it all the time, but I'm saying, and you asked me what this is distasteful about it. One thing is, if you start down that slope and you're doing a lot of these, pretty soon, you have no ordinance at all. You've got 10,000 variances, and nobody's complying with what's actually written in the book. So that's one thing I don't like about it. Another thing is, sometimes there are unrealistic expectations associated with this. Like we had years ago, we had a guy who got a variance to build a garage or something, and then the year went by and they decided to tell them take down that garage. But, you know, obviously it was absurd result. But that's the kind of thing that's possible when you don't make firm decisions that will last, as opposed to things that you might take away in a year or whatever. So....

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Just real quick. What is the legal risk? Let's say they come back in here and we deny that. Deny that extension. Are we...? Does that create some type of legal risk to the City?

**FISHER** I guess, almost anything?

**COPPOLA** Well, anybody could sue. I would say, more of a credible.

**FISHER** You know, I guess the where you score points with courts is where you do things fairly and decently all the way around.

**COPPOLA** And consistent.

**FISHER** Yes, and so that would be in this situation, hopefully we'd be able to, if we did have to do something after a year, we'd be able to sustain it. Based on the facts that come before us in a year.

**COPPOLA** And I don't know if we... you know, the other issue I have with it is okay so a year comes up when we review it. Are we gonna be clear now, on what those factors are to be extended or made permanent, or are we going to leave that kind of open and nebulous, which I think creates issues, becomes.... I'm trying to think of the proper terms, I can't, but I... and again, all I'm saying is I have severe apprehensions with this, and especially not only the concept, but then the execution of it.

**FISHER** Well, by all means, write all the conditions you want. That, I guess, is the one thing we have going for us next year, at this time, if we really are doing this, is that we will have a... we can do, we can develop metrics to decide then whether this is something we're going to keep doing.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Yes. Is there any annual licensing associated with this type of business where that license wasn't renewed? The business could not operate.

**STIERNA** We don't have licensing for this operation. They do have a zoning compliance which is where we are today. It gets a biannual inspection.

**COPPOLA** That's more for safety stuff, right?

**STIERNA** That's safety and property maintenance.

**COPPOLA** That's not... in theory that's in compliance with zoning, but compliance with other ordinances.

**FISHER** Would that be with your bathrooms and all that stuff?

**STIERNA** Well, that is the subject of probably tonight, they are going to have to make sure that if they are going to go to this use, they're going to have to agree to follow the building code requirements for a change of use to the satisfaction of the Inspection Department. To my knowledge at this point, all I know is the firewall, and probably double-check the... update the sprinkler system, again, subject to my Fire Marshal's review of that.

**COPPOLA** How are they operating if they don't already have approvals?

**STIERNA** They were approved for 49 people under a business use which, again, would comply with the building code. The lovely thing about building code is it's a path that has to be navigated based on your use and your occupancy type, construction type of building.

**COPPOLA** And so right now, if they were to have an event that had more than forty-seven, I forget the number....

**STIERNA** Forty-nine people.

**COPPOLA** Forty-nine people, they would be in violation.

**STIERNA** I think they have... they have bathroom capacity for an assembly, then they're allowed a toilet per 75 people. Under a business use, that changes drastically again, because you're expecting to get people there all day long, rather than for a few hours.

**COPPOLA** All right, so back to the conditions.

**MEAGHER** Is there a way we could add another condition saying if X isn't met, and define that right now, if, then we come back to the meeting a year from now, say, if this isn't met, then it reverts back to....

**BARINGHAUS** Well, I mean, I heard two metrics right here that could be considered. Neighbor outreach activities over the course of the year. Second one is building code compliance would be another one.

**STIERNA** I would, however, state that before they could operate with the larger capacity, they will have to be in compliance to building code, otherwise they don't have a clear certificate of occupancy.

**BARINGHAUS** Something to measure.

**STIERNA** Yeah.

**TESTA** Mr. Chair, my strong push for the time bound is because the variance is going to be property [inaudible] to the lessee that this would end at a specific time and not be carried over forever. So we are protecting the residents. If this business ever leaves, that someone else could come in at that higher number. So that's why I want to make it time bound. And even if they came back, I'd want to make it time bound again, whether it's a two-year

**KLISZ** Two-term in their lease.

**TESTA** Two year, three year, yeah.

**KLISZ** Right.

**BARINGHAUS** Term of the lease. There you go.

**STIERNA** Mr. Chair, maybe this is a question for Mr. Fisher. There were some variances, and I know that we don't do them the same way any longer. The protective wall agreements at one point went through the Zoning Board with, I think, a five-year renewal.

**FISHER** Well, they actually... there wasn't anything set about that. Yeah, and that's another reason for my distaste for these things. There really was a situation where you start getting down a slippery slope. Anyway, yeah, I guess the question really does boil down to whether you think there's some metrics that we can hold a Petitioner to.

**COPPOLA** You know, and on second thought, I don't want to paint ourselves into a corner either. So I want to be able to open our....

**FISHER** Some discretion.

**COPPOLA** To full discretion. And I just want to make that clear in the motion, that in some shape or form that it will be treated as if it's coming in fresh so that there's no confusion.

**MEAGHER** It's conditional to the lessee rather than to the property.

**COPPOLA** Well, you can't do that. The waivers and stuff belong to the property.

**MEAGHER** Right.

**COPPOLA** And that's the one thing I was talking about earlier, is that the lessee is the one that's applied. It really should be the property owner. But okay, that's, I mean, I don't know what else to say. So, any other discussion on conditions?

**TESTA** Mr. Chair, regarding the condition on the time bound for one year that Mr. Baringhaus had proposed. Question, Inspection, can you give us maybe some guidance on wording to tie it more to when that firewall goes up that Inspection approval at maybe one year from that date, or one year from their approval to start using that space instead of one year from today, what term would we use for that approval for the firewall?

**STIERNA** The floor change of occupancy. The building needs to meet the requirements of a change of use under the building code, I couldn't approve an additional occupancy load until such time as that. That's a tough one.

**COPPOLA** Who's gonna manage that? It's gotta, let's just keep it one year to approval. I mean, putting additional administrative burden, people already have enough to do.

**STIERNA** Well, Mr. Chair, I mean, they're gonna pull permits to do this work, and it has to be inspected and approved.

**COPPOLA** Okay.

**STIERNA** So we already have--

**COPPOLA** Are you volunteering, Mr. Stierna?

**STIERNA** We are already getting... we're already deep in it.

**COPPOLA** Okay, all right, well, then I'm fine with that. If you're fine with that, I'm fine with that.

**TESTA** I'd like to make that motion to amend the condition to be based on occupancy-- the approval occupancy, and not one year from today.

**COPPOLA** One year from the certificate, date of the certificate of occupancy.

**HAKALA** Not to be later than some other time.

**COPPOLA** Pardon?

**HAKALA** Not to be later than some other time. I feel like at some point people have put off.

**COPPOLA** Oh I see, but no.... Not to exceed.

**HAKALA** Yeah.

**BARINGHAUS** Not to exceed one year to get it done?

**COPPOLA** No, the point is, you gotta put an outside limit. Let's say they don't get their COO for a year. So now we've just basically given it two years. Oh, they couldn't operate for a year.

**TESTA** Right.

**KLISZ** Yeah, they want to get it done so they can operate.

**COPPOLA** No, I'd like to keep it to a year, so that will give them some incentive to....

**KLISZ** A different period, or a year?

**COPPOLA** A year from the approval.

**KLISZ** From the....

**COPPOLA** That's my recommendation, a year from the approval. [Inaudible] We're making things open and getting the COO is in the hands of the tenant. So.

**KLISZ** Right.

**COPPOLA** That's their responsibility. That's my recommendation to the motion and supporter. Jim, you good with that?

**BARINGHAUS** I'm good with that.

**KLISZ** I am as well.

**BARINGHAUS** Now, Mike mentioned a suggestion of a cap of a hundred twenty-five, is that part of that?

**KLISZ** Yes.

**BARINGHAUS** Okay.

**COPPOLA** Okay, so why don't you, just so everybody's square....

**BARINGHAUS** And we admire your ability to capture it all.

**KLISZ** Review operations in one year from the certificate of occupancy to see how it went with neighbors, and reduce the usage to 125 people.

**COPPOLA** I would recommend that the variance... so variances expire. From that, can we do that?

**KLISZ** Variance expires in... for one year?

**FISHER** Well, we're out here at the edge.

**BARINGHAUS** It's interesting.

**FISHER** Yes. I can, I guess I'm not sure what difference it is between it expires and [inaudible] year.

**COPPOLA** Can we? Can we rescind in a meeting? Can we rescind variances provided?

**FISHER** Well, I would say probably not, unless you allowed for that in your original variance, original motion.

**COPPOLA** So, can we, I guess it goes back to, can we have it expire in a year?

**BARINGHAUS** Yeah, [inaudible].

**COPPOLA** Well, no, that's how the language stated, though. We were just going to review it.

**KLISZ** Right.

**COPPOLA** We're not reviewing it.

**KLISZ** Mandatory review.

**COPPOLA** No, I would just say that it expires.

**TESTA** They need to come back here.

**COPPOLA** They'll have to come back.

**BARINGHAUS** So variance expires....

**KLISZ** Expires....

**BARINGHAUS** One year. Yeah, that's firm then.

**MEAGHER** Do we make them apply again?

**COPPOLA** They would have to.

**BARINGHAUS** Yeah. I'm fine.

**COPPOLA** Good. Ready for the roll? [Inaudible] understand?

**KLISZ** Yes.

**BARINGHAUS** Yes.

**TESTA** Yes.

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

**RESOLVED: APPEAL CASE NO. 2025-05-15, 16184 Middlebelt (Tabled on September 9, 2025):** an appeal was made to the Zoning Board of Appeals by Najae and Donovan Dixon, Belmont Properties, LLC, on behalf of Socialite Event Lounge, LLC, seeking to increase the previously approved occupant load from 49 persons to 150 persons to establish a banquet facility, as defined by the Livonia Zoning Ordinance, resulting in a banquet facility in a C-1 zoning district, which is prohibited, and a banquet facility less than 300 feet from a residential zoning district.

**Separation from a Residential District**

Required: 300 feet  
 Proposed: 0 feet  
 Deficient: 300 feet

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

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

1. The uniqueness requirement is met due to the location of the business in its current location,
2. Denial of the variance would have severe consequences for the Petitioner due to the inability to operate at that site,
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to its operations not conflicting with other businesses in the area,
4. The property itself is classified as Corridor Commercial under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. Petitioner's business operations will be reviewed in one (1) year from the date of

issuance of the COO (Certificate of Occupancy), to see whether Petitioners complied with the ordinances and cooperated with the neighbors in the area,

2. The requested usage will be reduced to 125 maximum occupancy, and
3. The variance expires in one (1) year.

**ROLL CALL VOTE**

AYES: Baringhaus, Klisz, Hakala, Meagher, Testa

NAYS: Rotondo, Coppola

ABSENT: None

PASS/FAIL/TABLED: PASS:

**KLISZ** Ms. Hakala.

**HAKALA** Yes.

**KLISZ** Mr. Meagher.

**MEAGHER** Yes.

**KLISZ** Mr. Rotondo.

**ROTONDO** No.

**KLISZ** Mr. Testa.

**TESTA** Yes.

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

**BARINGHAUS** Aye.

**KLISZ** And Chairman Coppola.

**COPPOLA** No.

**KLISZ** Passes five to two.

**COPPOLA** All right, so layman's term, you have a temporary variance to operate a banquet facility in that location, you've got a use variance, and we waive the 300 feet requirement for one year. You'd have to come back within a year to get your variance renewed, because it's going to expire, so you'll have to reapply within a year's time. The other condition on that is that you're limited to under 125 people. Any questions? Sorry, there was a lot.

**NAJAE DIXON** I'm still unclear on the metric on whether or not we've met—

**COPPOLA** There's, there are no metrics. So you're going to come back. You have to come back and support your application.

**NAJAE DIXON** Okay.

**POTTS** I can explain to them.

**COPPOLA** I mean, I think you can take back with you the concerns and questions that were brought up by the Board, as well as some of the concerns of your neighbors, as kind of the metrics you're going to look to, to measure yourself against.

**NAJAE DIXON** I suppose the real question is, what if we're just getting random complaints for the simple fact that we're not wanted here, right? And so it may not necessarily be things that we have actually done, but these are just continued, some of the same complaints of just the bus-- they don't want the business here. And so even if we still gotten those complaints, even though we've done all of these things and met all of the things that we agreed to, but the community still doesn't want us here, it sounds like we will probably be facing the same issues that we have today.

**BARINGHAUS** Mr. Chair.

**COPPOLA** Well, that addresses one of the what? I first opened the open the meeting, I said you had to meet four conditions, and one of those were the concerns of the neighbors. So we've kind of listened to the neighbors and listened to you, and believe that you're going to do your best to not impact the neighbors, but ultimately, if a large number of neighbors come in and complain at that meeting, it's going to be something we're going to have look at. I know that's a risk, and I understand exactly what you're saying, which is why I thought about metrics. And I didn't think about it. Then I said, forget it, because if I put a metric out there, let's say I said, "No police runs for the next year." Anybody can call the police to come out, and then the next thing you know, you violated and you don't get. So I did-- that's why I reconsidered what I suggested and backed off. So you're going to have to plead your case, as you did now, once again, and we'll listen to what you have to say. We'll listen to the neighbors, and we'll make our decision based on that. I believe strongly that you're going to do your darndest to do the... you'll end up with the least impact you can to your neighbors. I just, I wish you the best and hope that things work out really well for you and kind of understand where the issues are, and it will kind of just kind of fall where [inaudible]. But I think you have a lot of control over that, and I missed Vice Chair. Vice Chair Baringhaus, did you have something you want to say?

**BARINGHAUS** Yeah, just one comment. I think while we didn't give you metrics, you need to still collect metrics. You need to establish firm targets on decibel levels for your operation. Log your complaints, if you have a complaint, Date, time, complaint, and what your resolution was to it. Measure. So when you come back in a year, you know you have a... you can fully give us an idea of what your actions were. I think, I mean, like I'm hearing neighbor complaints, and no doubt they occurred. I feel that it was the prior regime that caused these and they were being transferred on you, which isn't fair. I would like to somehow give you a clean slate going forward, and I think it'd be beneficial to see how you've been managing these complaints and what steps you've been taking in a year from now.

**COPPOLA** Okay, any other questions? Listen, good luck. I hope it works out. It was an unfortunate situation. Hopefully you make this work and you're able to get through the year

lease and such. And if that ends up being the place that works, great. If you end up finding something better, great too. But for now, this is, from our perspective, this is the best we can do based on all the concerns and issues that have been brought up.

**NAJAE DIXON**        Okay. Thank you all.

**COPPOLA**            Thank you. I am ready for the next.

**APPEAL CASE NO. 2025-07-21, 37604 Ann Arbor Road (tabled August 26, 2025):** an appeal was made to the Zoning Board of Appeals by Joseph Mooradian on behalf of Lakepointe Yacht Club, seeking to erect a monument sign with deficient setback from the right-of-way, an excessive total height and also includes an Electronic Message Center (ECM) while the proposed sign is not in compliance with the ordinance.

**Minimum Setback**

Required: 10 feet  
Proposed: 5.5 feet  
Deficient: 4.5 feet

**Maximum Height**

Allowed: 6 feet  
Proposed: 10 feet  
Excess: 4 feet

This Corridor Commercial property is located on the north side of Ann Arbor Road (37604), between Newburgh Road and Lakeview Drive, Lot. No. 121-02-0030-000, C-2, General Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) – Sign Regulations in C-2, C-3, and C-4 Districts – Monument signs.

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

**STIERNA** Have nothing to add at this time.

**COPPOLA** Questions for Mr. Stierna? Seeing there's none, the Petitioner could-- Oh, that is true. We do need to do that, don't we?

**BARINGHAUS** Do what?

**COPPOLA** Motion. Do you like to--

**TESTA** Mr. Chair.

**BARINGHAUS** There you go.

**COPPOLA** Motion to remove the table from Secretary Klisz.

**TESTA** Support.

**COPPOLA** Supported by Mr. Testa. All in favor?

The Board voted unanimously to remove the case from the table.

**COPPOLA** Now it's official. Petitioner can step forward. Seat forward. All right, if I can just get a name and address for the record, please.

**MOORADIAN** Joseph Mooradian, 37604 Ann Arbor Road.

**COPPOLA** All right, Mr. Mooradian. Will you be speaking also?

**UNKNOWN** Yes.

**COPPOLA** I'll just need your name and address, then.

**UNKNOWN** 906 South Main Street, Plymouth, 48170.

**COPPOLA** Mr. Mooradian and... welcome back. I see that you've revised your plan. Why don't you tell us a little bit about what you've changed?

**MOORADIAN** We revised it to recommendations from the last meeting.

**COPPOLA** Okay, so your minimum setback has been reduced.

**MOORADIAN** Overall height was reduced. Minimum setback was reduced to what the Board recommended at our last hearing.

**COPPOLA** And you fixed your base so that you no longer need a variance for that.

**MOORADIAN** Put the curb in to the request of the Board from the last meeting.

**COPPOLA** Okay.

**MOORADIAN** All the recommendations that everybody had, there were quite a few of them. We took them all into consideration and applied all of them.

**COPPOLA** I appreciate that. Thank you.

**MOORADIAN** There were some great ideas.

**COPPOLA** Okay, questions for the Petitioner.

**BARINGHAUS** Mr. Chairman, just...

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Just for my clarification, I was at your business today. The sign is going in the same location where the pole sign was?

**MOORADIAN** Correct.

**BARINGHAUS** Okay, that's... then that's where the hole in the asphalt is. Okay, very good. Okay, thank you.

**MOORADIAN** Unless, unless you can allow me to put it on the other side of the sidewalk. If that's a possibility,

**BARINGHAUS** I wish I had a better idea for you.

**MOORADIAN** You guys [inaudible] fast. That'd be great.

**COPPOLA** Yeah. It's not your property.

[Laughter]

**BARINGHAUS** We'll find it eventually.

**MOORADIAN** Stranger things have happened.

**COPPOLA** We have a full Board this time, why don't you describe to us the purpose of the electronic messaging center and how that'll be used.

**MOORADIAN** Like we spoke last time, I know there's no ordinance for what type of messaging can be displayed right now with the City. We would be using it for advertising specials, food and drink specials only. There would be no, there would be no other type of advertising going on on the sign.

**COPPOLA** Okay, how do you currently advertise those types of things?

**MOORADIAN** Well, I...

**COPPOLA** How *did* you advertise them?

**MOORADIAN** Well, I was advertising on my full sign, which I would love to have that back, until it was taken out by the truck. So, yeah, I had, I had to. It was not an electronic messaging sign. It was older. It was the channel letter sign. We used it to advertise happy hour food specials. Upcoming events. I know it's on everybody's mind. There's not, we're not going to put anything inappropriate on a sign, it's on Ann Arbor Road for a messaging sign. The dentist office down the street has a messaging sign. McDonald's has one down the road. Everybody, quite a few other businesses, liquor store, quite a few other businesses on Ann Arbor Road, have EMC. We just want to be able to advertise food specials, drink specials, happy hour specials, so forth.

**COPPOLA** McDonald's sign is a long history, an interesting history to it.

**MOORADIAN** I'm not aware of what it is.

**COPPOLA** I believe the data sign is just date... date and temperature?

**BARINGHAUS** Basically.

**MOORADIAN** No. They advertise specials as well. I mean, dental specials as well on there, not just date and time.

**COPPOLA** Yes, special.

**MOORADIAN** Specials.

**COPPOLA** Well, if we don't approve them [inaudible].

**BARINGHAUS** Impulse buying habit.

**MEAGHER** Lunch specials.

**COPPOLA** Okay, other questions for the Petitioner?

**BARINGHAUS** I do have just one quick question. I noticed the height was 120 inches. Were you... still seems a little tall. What was your goal to be able to get some visibility between...?

**MOORADIAN** Because in the parking lot now and there's still parking to the left and the right. I mean, that was the... we took into consideration the recommended height at the last meeting that the Board suggested.

**BARINGHAUS** Okay, thank you.

**MOORADIAN** Yeah.

**COPPOLA** Any other questions for the Petitioner? I don't hear that there are. I want you to stay right there. I don't believe there'll be anybody. Is there anybody in the audience would like to speak for or against this?

**KLISZ** No new letters.

**COPPOLA** No correspondence. Okay, anything you'd like to say in closing?

**MOORADIAN** Just looking to get this approved. With the road being reopened, hopefully here in the next 30 days or so, it would be a good opportunity for us to capture some of the business that will be traveling at the corridor again, and make up for some of the lost revenue that we've taken the last year, being without a sign and with being the road closed.

**COPPOLA** Okay. Thank you. I'm going to close the public portion of the case. Start the Board's comments with Mr. Meagher.

**MEAGHER** Yeah. I mean, looking through everything we talked about last time, all the changes you made. I don't, I don't see a reason that I'd be against this. I'll leave it at that.

**COPPOLA** Thank you. Mr. Rotondo.

**ROTONDO** Yeah, thank you. Yeah. I'm gonna be, I'll be in favor of this sign. I appreciate that Petitioner, taking the comments that we made at the last meeting, and making some changes to try to bring this closer to within the ordinance. So I'm okay with this new sign and I think it does clean up things a little bit better, too, with your property.

**MOORADIAN** Thank you.

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

**TESTA** Thank you, Mr. Chair. Yes, like last time I'm in support of this. Thank you for... you reduced the height and reduced the width. I think the sign looks really good. I drove by this weekend. They have no signage right now, basically. So this is going to be a big upgrade, even over what you have now and what you had before. So...

**MOORADIAN** Yeah.

**TESTA** Thank you.

**COPPOLA** Thank you. Ms. Hakala. Want me to skip you for a second? Secretary Klisz.

**KLISZ** Thank you. Yeah, I appreciate the Petitioners listening to what we have to say, coming back with a revised plan that makes perfect sense. Again, the electronic message board is sort of an exception, but again, you used to have that... call it old-fashioned message board, where you had your specials and stuff like that, and that was an eyesore. Essentially, old-fashioned was taken down, not by your fault, and this is a good replacement. So I like the concept, I like how it looks, and I'll be in support.

**COPPOLA** All right. You good?

**HAKALA** I think I'm good.

**COPPOLA** Ms. Hakala.

**HAKALA** All right. Thank you for the changes. I appreciate you listening, obviously, to some [inaudible]. I'm good.

**COPPOLA** Thank you. Vice Chair Baringhaus.

**BARINGHAUS** Thank you. I, too, appreciate the changes that you made to the sign. And like I said, I had a little initial question. I hate them, but then in your parking lot, there's a lot of truck and SUV traffic, which you'll need the [inaudible].

**MOORADIAN** We have a lot of trucks, yeah.

**BARINGHAUS** But no, I think the style and design is excellent. I think it ties to the setting of your business by the lake and everything. And I'll be in support of the variance. Thank you.

**COPPOLA** Thank you. I'm in support of the sign, I appreciate the height and the setback. I think it's a unique location in the sense of where it is and to get the visibility that's required. I think the height and the setback are appropriate. What I'm struggling with this is the electronic message center. We've usually been pretty adamant about requiring that the Petitioner comply with the ordinances to be able to get that. And it's specific in the zoning ordinances that you can't... you have to comply to get that. I know there McDonald has one. I know the dentist office has one, but they're also not six feet in the air. And that's where I'm kind of struggling with that sign, and that's why I'd asked you what you had used before.

**MOORADIAN** Yeah.

**COPPOLA** I know they're becoming more and more prevalent in some of the cities. I mean, it looks like you're driving down Las Vegas Boulevard. There's so many neon signs and things flashing and everything's going all at the same time. But when we initially approved that dentist office, I pretty -- I recall being told, and I think I actually probably voted against it -- was told that all they were going to do was going to do was the date, I mean, the time and the temperature. How they've started doing other messages, if they are, is a little concerning to me.

McDonald's. I think there's quite a bit of a backstory as to how that got snuck in, and it wasn't something that actually was approved at the time. I think it was grandfathered. There was some type of grandfathering or something. I don't remember the specific story. So I hate to use those as precedents to allow this. Again, I like your sign. I think it looks good. I think it was well designed. I think even though it's really tall compared to what you had. This is a great improvement, but I'm just not in support of electronic signs. I'll go ahead and open up the floor for a motion.

**KLISZ** Mr. Chair.

**COPPOLA** Secretary Klisz.

**KLISZ** Resolved that the variance sought in Appeal Case No. 2025-07-21, filed by Joseph Mooradian on behalf of Lakepointe Yacht Club, be granted for the following reasons and findings of fact: The uniqueness requirement is met because of the old-fashioned sign that the Petitioner used to have, which was taken down in an accident, and now they have no sign currently. Denial of the variance would have severe consequences for the Petitioner due to lack of signage that they used to have and was taken away without their fault. The variance is fair, and it's... in light of its effect on neighboring properties and the spirit of the zoning ordinance, because of no particular neighbor opposition, at least not this time, this property is classified as C-2, General Business, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, the variance be granted with the following conditions: Built as presented as to size and location.

**TESTA** Support.

**COPPOLA** I have a motion by Secretary Klisz, supported by Mr. Testa. Any discussion? You said built as...?

**KLISZ** Built as presented as to size and location.

**COPPOLA** Design?

**KLISZ** Design, sure.

**COPPOLA** That'll be a little more specific.

**KLISZ** Design, size, and location.

**COPPOLA** Anything else? You okay with the change?

**TESTA** Yes. Can we allow them to pull permits immediately?

**KLISZ** We can waive the waiting period?

**COPPOLA** We can waive the five days.

**KLISZ** Sure.

**MOORADIAN** I appreciate that. Thank you. Thank you very much.

**COPPOLA** Starting to get cold.

**KLISZ** Yeah. Good?

**COPPOLA** I believe so. Go ahead and take roll.

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

**RESOLVED: APPEAL CASE NO. 2025-07-21, 37604 Ann Arbor Road (tabled August 26, 2025):** an appeal was made to the Zoning Board of Appeals by Joseph Mooradian on behalf of Lakepointe Yacht Club, seeking to erect a monument sign with deficient setback from the right-of-way, an excessive total height and also includes an Electronic Message Center (ECM) while the proposed sign is not in compliance with the ordinance.

**Minimum Setback**  
 Required: 10 feet  
 Proposed: 5.5 feet  
 Deficient: 4.5 feet

**Maximum Height**  
 Allowed: 6 feet  
 Proposed: 10 feet  
 Excess: 4 feet

This Corridor Commercial property is located on the north side of Ann Arbor Road (37604), between Newburgh Road and Lakeview Drive, Lot. No. 121-02-0030-000, C-2, General Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) – Sign Regulations in C-2, C-3, and C-4 Districts – Monument signs,

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

1. The uniqueness requirement is met due to the old-fashioned sign which the Petitioner used to have, which was taken down in an accident, and currently they do not have a sign,
2. Denial of the variance would have severe consequences for the Petitioner due to lack of signage that they used to have and was taken away without their fault,
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to no particular neighbor opposition,
4. The property itself is classified as Corridor Commercial under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The sign will be built as presented as to design, size, and location, and
2. The 5-day waiting period for the permit is waived.

**ROLL CALL VOTE**

AYES: Klisz, Testa, Hakala, Meagher, Rotondo, Baringhaus  
 NAYS: Coppola  
 ABSENT: None  
 PASS/FAIL/TABLED: PASS: PASS

**KLISZ** Ms. Hakala.

**HAKALA** Aye.

**KLISZ** Mr. Meagher.

**MEAGHER** Aye.

**KLISZ** Mr. Rotondo.

**ROTONDO** Aye.

**KLISZ** Mr. Testa.

**TESTA** Aye.

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

**BARINGHAUS** Aye.

**KLISZ** And Chairman Coppola.

**COPPOLA** Nay.

**KLISZ** Six to one.

**COPPOLA** Okay, so your variance has been approved.

**MOORADIAN** Thank you.

**COPPOLA** You just got to build as...

**MOORADIAN** As presented.

**COPPOLA** As presented, basically the location, design, size, all that fun stuff. It'll look great, though.

**MOORADIAN** I appreciate that. Thank you. Thank you, everybody.

**COPPOLA** Goodnight. Thank you. Come in tomorrow.

**MOORADIAN** We'll be in in the morning for permits.

**COPPOLA** All right.

**MOORADIAN** Thank you, everyone.

**COPPOLA** All right, you can call the next appeal case.

**APPEAL CASE NO. 2025-07-25, 38560 Morningstar Drive (tabled on September 9, 2025):**

an appeal was made to the Zoning Board of Appeals by Kristina and Jesus Jimenez, seeking to erect a privacy fence against an existing chain-link fence resulting in two fences separating properties and a privacy fence erected on a shared property line without neighbor authorization, which is prohibited.

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

**COPPOLA** All right. Thank you. You guys have a motion?

**TESTA** Mr. Chair. Move to remove from the table Appeal Case 2025-07-25.

**HAKALA** Support.

**COPPOLA** I have motion by Mr. Testa, supported by Ms. Hakala, to remove from the table. All in favor?

The Board voted unanimously to remove the case from the table.

**COPPOLA** It's been removed. Mr. Stierna, anything you'd like to add?

**STIERNA** I have nothing to add at this time, sir.

**COPPOLA** Any questions for Mr. Stierna?

**TESTA** I do have a question for Mr. Sterna.

**COPPOLA** Sure.

**TESTA** In our packet—

**COPPOLA** Mr. Testa.

**TESTA** Thank you. I'm not sure if it's going to be Mr. Stierna or Mr. Fisher, but I think Mr. Stierna. Their package. There is something from Livonia Estates, homeowners' rules. Who provided that to us?

**STIERNA** That came in... today?

**TESTA** Okay.

**UNKNOWN** Friday.

**TESTA** Okay, someone from the public then.

**STIERNA** So, yeah.

**COPPOLA** You guys can have a seat.

**UNKNOWN** Okay.

**COPPOLA** Just wait a minute, let me do this. Okay, so, yeah. So there's a... it was received on the 24th so came in on what Friday? Is that right? And it shows that there's some type of association or building restrictions, I guess. It was originally recorded back in '58 and then amended it looks like. I don't see the date on this.

**MEAGHER** Did we? Did we not have this conversation at the last meeting about--?

**COPPOLA** We were told there wasn't one. I mean, there was one, but there was no document....

**MEAGHER** Okay.

**COPPOLA** ...Was the issue.

**MEAGHER** Wasn't the conversation along with that, whether or not they were part of the association or not.

**COPPOLA** I don't recall that, but it might have been. I don't recall that question. We can get there, but I guess what your question would have been what?

**TESTA** Who submitted it?

**COPPOLA** Just who submitted it.

**TESTA** Yes. But I'm good for now. I'll have more questions later on.

**BARINGHAUS** Mr. Chairman, to Mr. Meagher's comment, I think the discussion was how active the HOA currently was in the neighborhood.

**COPPOLA** And this doesn't necessarily, I don't know, Mr. Fisher, if you've seen that. This is more of a building restriction, deeded building restriction, than it is an HOA, although it suggests that approval shall... talks about approvals. I'm not sure who approves it. If it's a deeded building restriction, there's no other approvals. It is what it is. So I'm a little confused by the document. I guess at some point you can try to figure out what it is. Have you had a chance to see that, Mr. Fisher?

**FISHER** Well, I looked at it briefly before. Oh, here we go. Gaston, I think is that person's name.

**COPPOLA** It came in. Did it come in with the comments?

**KLISZ** I think it did.

**FISHER** Yeah.

**TESTA** It's in the file twice. Okay, sorry, I didn't realize it.

**FISHER** Yes, attached to her letter.

**COPPOLA** So it looks like there's deeded building restrictions. It does suggest that there's an architectural control committee, but... Okay. I'm not sure how we... Generally when there's nature or deeded restrictions are any of our approvals are subject to those. Correct?

**FISHER** Yes.

**COPPOLA** You know, we can't override those.

**FISHER** No, we shouldn't be overriding those. Those are private arrangements.

**COPPOLA** Right. Okay. All right, for the record name and address, if you would.

**JESUS JIMENEZ** Jesus and Kristina Jimenez, 38560 Morningstar. So in regards to those deed restrictions that you guys have, if you go to the last two pages, it's actually the second to the last page.

**KRISTINA JIMENEZ** Section I.

**JESUS JIMENEZ** Section I. Hold on a second.

**COPPOLA** It's on page seven?

**KRISTINA JIMENEZ** Restriction covenants and conditions in effect...

**JESUS JIMENEZ** ...For 35 years, and automatically 10 years. So seeing as how they were recorded in 1958, those deeded restrictions expired in 2003. Our current closing document, which is here in my hand, dated for last year when I bought this house in July 2022 or 24 I'm sorry, says there's no HOA.

**COPPOLA** [Inaudible] Inspection Department. Pass forward.

**KRISTINA JIMENEZ** This was straight from the site that we printed.

**JESUS JIMENEZ** Yeah, because we saw everything that was submitted on Friday, and there's a lot of problematic issues, this is with the objections that were submitted on Friday.

**KRISTINA JIMENEZ** So that was also, like you said, submitted to... by Nancy Gaston, who was a neighbor in the sub and also....

**JESUS JIMENEZ** So the first issue with all the objections that were just submitted on Friday is that all of them are dated for last month's meeting on the ninth, not today's meeting on

the twenty-eighth. If you use Google Maps or any other measuring tools, you'll see that they're all outside of the 300-foot radius, which is required by law that they be notified of the meeting today. All those objectors do not live on Morningstar. They're not my neighbors. I do not know any one of them, but Nancy Gaston has been showing up since February for David's appeal, and last month here on my appeal.

**KRISTINA JIMENEZ** I'd also like to reference the letter submitted by Nancy Gaston. I think this is important for you to see, because nothing has changed since the last meeting.

**JESUS JIMENEZ** A month ago.

**KRISTINA JIMENEZ** A month ago, when it was tabled, except for more neighbors being I don't know, I don't want to say what was being done, but more neighbors being brought in that are not our direct adjacent neighbors, which you will see here today, impacted by this, that have been here, and maybe friend of....

**JESUS JIMENEZ** Doug or his wife. The opposer.

**KRISTINA JIMENEZ** But if you look at the same letter from Nancy Gaston, can you please pass that so that neighbor lives 845 feet away, and then within that attachment, you'll notice a signed letter that was typed about character, yeah, and to the City Hall that, "This is to inform you that Nancy Gaston is the representative for Livonia Hills subdivision. All correspondence relative to any construction and or development should be directed to the listed address, Nancy Gaston." This is a first for us to learn and hear when there's three houses going up in our same sub right now.

**COPPOLA** New construction?

**JESUS JIMENEZ** New construction homes directly across the street from the objector.

**KRISTINA JIMENEZ** So this is news, but this was just, I guess, uploaded there.

**JESUS JIMENEZ** On Friday.

**KRISTINA JIMENEZ** So not much has changed, except for, I feel the retaliatory, passive-aggressive....

**JESUS JIMENEZ** Antagonizing.

**KRISTINA JIMENEZ** There's also another letter from Nancy Gaston that she went and talked to all the neighbors, and if you... it just says she went and talked to all the neighbors, and they do not feel the same. I have never spoken to Nancy Gaston. So if it's all the neighbors, and you're the HOA contact, we've never met you once, we've never met this neighbor once, and if you went to talk to all the neighbors, why wouldn't you talk to us? So I do feel this is consistent with the retaliatory attacks after appealing and trying to get the fence, not just conforming to what the objector wants, which is what we were saying in our last meeting, which is what we were referring to. In the videos that we had asked that you all watch, and the reason why those videos were taken are because I think we're dealing with a Jekyll-Hyde situation that you may see one, but we have seen it. My children have seen it, and we don't feel safe. So being there,

not only one year, this has continued. So nothing has really changed. After actually seeing these things loaded few days ago, you can see it for yourself, but all of this is a shocking news to us as well, about the HOA. We bought this house. There's no HOA, so....

**JESUS JIMENEZ** I've never paid any monthly due. There's never been any meeting. Nobody's ever introduced themselves as a head representative of anything. Nobody's ever given me a copy of bylaws. How can you enforce some rules, but not all rules fairly? If you go back and look at those expired deeded restrictions, if you want to apply them evenly, he's in violation of them as well. It says, clearly, all your garages have to be attached. There's no fences. You can't have accessory structures. You violate them. Most specifically section seven, the nuisance behavior. To continue to bother somebody after they've expressed and they've had police expressed to you, leave them alone. I don't want nothing to do with you. I don't want no beef with you. Do you. I'll do me. And for him to still come back to the fence line again, provoking something. You know, what's very upsetting to me personally, and I don't want to get too emotional with it, I have a copy of what he submitted last month. What he submitted last month, it says that "On July eighth, while in my own backyard, Petitioner was videoing me and aggressively began calling me a stupid M- mother-effer. See photos." I asked you guys to please look at the police videos that were submitted. There's the police video from July eighth, which is what he's claiming, that I just went back to go video him and to call him an M- mother-effer, I submitted my personal video of what happened before the police got there. And at no point does he mention at all that I told him in that same video, "I don't want any problems with you. You do you. I'll do me. Why are you back here after the police told you to leave us alone?" Just so that there's clarification between the videos, if you had the opportunity to see them or not, here's the complete transcript of word for word what I told him. Here's the complete transcript of word for word, what the police told him, and what he manipulated to the police, because he immediately goes into the other. The police asked him what start[ed] the problem. He goes into the other neighbor, two doors down, put up a fence. And the HOA, which is inactive. He admits it on video. The HOA, which is inactive, says you can't have any fence. But the police explained to him that night that if it's inactive and you're not having any meetings, then those bylaws are void. He says, "Agreed," he understands what the police is telling them, but last month, he's got Nancy Gaston coming back, and a week ago, on Friday, he's got Nancy Gaston submitting these HOA expired rules that he confirmed he understood what the police were telling him then. My problem is he is manipulating the situation over and over to make it seem like I'm the aggressor. I offered him every compromise and solution to problems he said that were there, that weren't there. He said he didn't want a wood fence because of the maintenance. On the Fourth of July, I painted Dave's fence, my fence, and Monica and Randy Summers' fence. If you add up the total linear footage of it, it's over 700 feet. I painted both sides. So that's 1400 feet. I painted well over 10,000 square feet of fencing for free. I didn't ask anybody for anything. I showed him that I could give you solutions to what you said was a problem. Please let me have my fence. We all agreed, both neighbors, that if you would let us have the fence, you could pick the color. Red, green, brown, purple, whatever it was. I would paint it every time. He's saying that I went to go antagonize him at his company, in front of, Well, originally, what he said here was that I talked to him at his job, in front of a co-worker who was actually an employee. That's an important thing to notice, because a co-worker is going to have an even point of view. An employee is not normally going to go against their employer. I said to him on that day was, "Hey, the neighbor behind me gave me approval for the first half of the back fence. I'm getting quotes. I'm ready to install the fence. Can you give me your final answer now?" Because when I went there in February and March, he said, "I'll think about it. I'll let you know." In March, he said, "I'm sick. I don't have the energy. I'll get back to you." So when I went to his company, his place of business, whatever you want to call it, in April, he told me no. My email correspondence with the City Inspector show that I filed my appeal or my permit on April

twenty-fourth. I never went above, behind, or been doing anything sneaky or manipulative. I will hide the work with him [sic] and all my other neighbors since day one, while he tried to act like I didn't do anything, or I'm harassing or threatening him. Please look at your BSA City of Livonia, own documentation. Our last meeting that we had for David was on February eleventh. Three days after that, on February fourteenth, he gets a nuisance complaint violation filed against his address because he was plowing the snow on the neighbors to the west side for Monica and Randy. The problem was, they complained about the time he was doing it, at three in the morning to agitate them. What he was really doing, what really should have been loaded with the snow that he was pulling out of that driveway, he was distributing in front of Monica's house, my house, and David's house. And by the time he got to Morn-- to Meadowview, he had a clear path all the way to Eight Mile. When I gave him a notification, again, I have a complete transcript of what I said. His attorney actually submitted a letter saying that I demanded he put up a fence. What I said was, "On Friday, I'm going to paint your fence. My son is going to help me. Monica bought their paint. Dave bought their paint. I'm going to paint it for everybody for free. I just wanted to give you a heads up. I'm not trying to come into your yard without you knowing about it." He blew up and assumed automatically that I was asking for the fence. And he told his attorney, which submitted the letter saying that I demanded the fence. The video that I submitted on August 11 says. It's there, right there, plain and clear. I never demanded anything. I gave you a notification that I was going to paint work. When the police came back on July eighth, you played it off like you had no idea what was going on, and that's why you were so hostile. On August eighth, when I have video of your wife dumping something at the back of the fence, she played it off and said to you last month that it was a rabbit. My problem with this is, we've had confrontation on the second, we've had another confrontation on the Fourth of July. On the eighth of July, we had another confrontation. Why would you assume that it'd be okay to dump anything into my yard at any point in time, knowing that I have two dogs and you have a dog. I told you that he was a problem from the beginning. His wife is a problem too. By doing the same passive-aggressive moves. I have videos of her doing the lawnmower stuff too. I also mentioned, which Dave mentioned, back in February, that his dog was a problem. His dog is constantly barking at the fence, biting at the fence. The video that I submitted showed that his dog is snarling at the fence trying to bite with mine. It is not okay for me to be forced to his behavior, knowing that I have expressed I don't want nothing to do with you. These are the BSA document, it and City of Livonia. You look up everybody's website, everybody's address, and it'll show you. You can pass it down, please. Thank you. It'll show you everybody's address, every violation, and if you look more specifically at Dave's first violation, it was filed July twenty-fourth, three days after I moved into the house. My closing document says July twenty-second. I had nothing to do with him. I never knew him. I never had a problem with him. When I talked to him in October, the first time, when I went to go knock on his door, and he said he didn't know who was there. He has a Ring camera. It shows you who's there. When I went to talk to him on the second time where he says I'm harassing him, the second. The Ring camera shows you exactly what I said to him. When I talked to him the first time, almost a year ago today, in October, I said, "Whatever problem you had with Dave and Monica and Randy, I don't want to be a part of it. But seeing as how they put up both fences on the east and west side of me, it's logical and more affordable for me to continue the run in the back. I don't want any problems with you, but I do want to finish that run." He took it as, "You're ganging up on me, and I don't know you. F you. This is my neighborhood. I've been here longer." I accept and I respect the fact that he's been here longer. I'm asking the Board and him to acknowledge the fact that the housing market is not the same as it was 17 years ago. I paid almost 200% more to be here. I paid double in taxes based on public information to be in that same area. Why do you think I don't deserve the same rights as you? I'm asking for privacy. I'm not asking for pieces of your property. I'm not asking to take something from you. Your view, that you're saying you want this openness of, I also think you guys need to acknowledge the fact that there's a privacy gate at the front of my yard.

There's a privacy gate at the front of Dave's yard. He has no view to the front street anymore. Our whole yard is completely closed in. The only section that is open is between me and him. So when you're saying that I can't accept the fact that my view has to be open, there is no view anymore. And the same view that you're passionately fighting right now. Please let his attorney know he gave Dave the quote to install the original fence. Now, mind you, the original fence was for vinyl, but the ultimate height for it was six feet tall. He had no objection to an object being six feet tall, separating his property and Dave's property. When Dave used the contractor that Monica and Randy had, he took that as a personal offense. When he comes up here, maybe you should ask him what his personal issue is with Monica and Randy and Dave, because as I said before, I moved there a year ago, and it was not to start any trouble with anybody. It was to raise my family at a nice, beautiful home. I can continue to keep providing you more transcripts, more photos. But the most alarming thing, I told you that all the objective letters that were recently received on Friday were outdated and out of the 300-foot range. On Saturday, when I got home from work, I was walking my dog around the block. Two older gentlemen stopped me and complimented me on how big and how beautiful she was. I said, "Thank you. We're trying to enjoy the rest of the beautiful day. It's nice and sunny." My daughter was with me, too. By the time I walked back to the house, I put the dog away, I turned around and noticed that one of the gentlemen goes into the home at 2469 Meadowview, which is one of the objectors that submitted their letter strongly opposing six-foot stockade fence. And for the record, I never said I wanted a stockade fence. I said I wanted the same existing fence that my neighbors had, the same fence they have. The same fence that they're objecting to me, they have in their own property. What's interesting, though, is that their husband, the head of the household, was so polite and so welcoming and talkative. I put my dog away and I went to go talk to him personally. I knocked on his door and introduced myself. I said, Hey, "I'm confused as to why you would be so polite here and submit a letter of objection to my fence. Do you not know the full story of what's going on?" This man looked at me straight in my face and said he had no idea. He had never received anything, and his wife never said anything to him. He said if there was anything that he could do, please let him know. He signed my letter of approval, the signature that I have here. On the official dated record notice that sent out here for 300 feet of residence. All my signatures are my adjacent neighbors on Morningstar, including the ones that are across the street and including the husband of the wife that objected my fence. This process is supposed to be made for fairness and understanding. It seems like somebody inside of the 300-foot radius who objected my fence made copies and distributed last month's notices to get his friends or comeries [sic], whatever you want to call him to sign off on the opposal.

**KRISTINA JIMENEZ** This is again the retaliatory—

**JESUS JIMENEZ** --Behavior--

**KRISTINA JIMENEZ** --We're trying to share with you that this is our reason for a variance. We... they were standing at the edge of the fence. He stood at the back telling my husband, "Hit me, hit me, hit me." You know? He's not going to hit you. There's no... we're more mature than that. There's no way. It's hard on me.

**JESUS JIMENEZ** In the transcripts, he says it flat out, "Hit me. Take your swing, touch me." That's when I said, "Okay, hey, you're still recording? Perfect, because at this time is when I call the cops."

**KRISTINA JIMENEZ** And if you do hear the other neighbors, you'll probably... you're going to be able to hear the same thing. And this is before we moved here. This has been ongoing.

**JESUS JIMENEZ** This is not an exaggeration at this point. This is just pure frustration and that I have to come. Respectfully, I don't know you guys. You guys don't know me. But it's frustrating that I have to explain my personal situation to complete strangers to get privacy in my own home and plead with somebody to protect myself, my family, my animals. You could play it off all you want, like, "Oh, we didn't do nothing to the dog." I can give you so much more background on that dog, but I can guarantee you that I've watched that dog since it was six weeks old, and as it sits here at 12 weeks, at 12 years. I've traveled internationally. That dog is ADBA registered. It's nationally known. His semen is collected. He has offspring in multiple countries. I watch it and train it daily. This is not just a house pet. The only reason it runs loose is because I haven't put it in the dog run. I showed him pictures that, "Hey, Doug, if I can't put up this fence and we can't agree to it, I'm going to put up the dog run." He says, "I don't care what you do on your property."

**COPPOLA** Okay. I understand the tension between the neighbors, and it's been made clear the last couple of times we've been together. So any... but is there anything else that you'd like to add in regards to what we haven't already spoken about?

**JESUS JIMENEZ** Is there anything else that I need to add? I don't think so to prove the hard... not necessarily the hardship, because the hardship is there. What his attorney is implying is that I don't have an actual harassment. So what else do I need to tell the ZBA so that somebody can hear me in the background of the harassment? Because, mind you, I notified you on the second and said that I was going to paint. On the fourth, the police came by and issued us both No Trespassing orders. Four days later, you're at the back of my yard continuing the same behavior. I have multiple more pictures that I am going to submit to you, showing the time lapse, days, repetitive, whether it's a video, whether it's a picture.

**COPPOLA** Okay, I understand. I understand. I think you've made your case pretty thoroughly. So I think, as we-- you know, one of the main reasons that we're here today is because I think we didn't, we didn't have enough. It wasn't a full Board, and it didn't look like you were gonna have enough votes to get an approval, or there was not enough votes to get a denial, either. There wouldn't be a resolution.

**JESUS JIMENEZ** There was five members here, three of them approved, and two of them didn't.

**COPPOLA** Right. So rather than just turn you down, I thought it would be appropriate for you to be in front of a full Board. So now we're in front of a full Board. They, I think most should have all read the documents. They've heard what you had to say. Any questions that any of you have for the Petitioner at all?

**ROTONDO** Mr. Chair.

**COPPOLA** Mr. Rotondo.

**ROTONDO** Yeah, question for the Petitioner, so you're proposing to put a double fence here.

**JESUS JIMENEZ** No.

**ROTONDO** Is there a reason?

**JESUS JIMENEZ** No.

**ROTONDO** Why? You're not--

**JESUS JIMENEZ** Did you look at the application? At the very, very bottom of it, I proposed to install a six-foot fence in accordance with the city ordinance. Matthew Stierna put that I wanted the double fence. I did not ask for that. So if we can't agree to removing the chain-link, then I guess it has to be a double fence. I never asked for a double fence. I asked for a six-foot-tall privacy fence. Another contradiction to what he literally wrote was that I'm trying to put another fence on a shared property line. If I put that fence on my side of the property line, then it's on my property. It's not on the shared property line. It's up for you guys to determine what's fair and what's right.

**ROTONDO** Question for Mr. Stierna, can you speak to...?

**STIERNA** I did discuss this at great length, that if he could not get an agreement with his neighbor, because if he's going to remove a shared fence, he has to have the agreement with the neighbor, which he couldn't get. So his choice was to probably apply for a variance for a double fence. It would be the only likely approach. So if he wishes to withdraw and rewrite it, I guess we could table this yet again.

**JESUS JIMENEZ** No, no. We're not going to do that.

**COPPOLA** Mr. Fisher, so if we.... Look, this is just a scenario, this is not a statement. So if the variance was approved to put a six-foot privacy fence between the properties, would the Petitioner have, I guess, the go-ahead to remove the chain-link fence on the property line and replace it with the six-foot privacy fence?

**FISHER** No, the Board doesn't confer powers on people. All it says is, it gives them permission. And this is... under this circumstance, this is... the City treats this property line as shared, and treats... It's sort of a first come, first serve, in terms of whoever puts up the first fence, that's going to be it, unless that fence is removed. So.

**COPPOLA** So the Board would have two, in essence for approval, we'd be approving two variances. One, putting up a six-foot privacy fence without the neighbor's approval. Number two, allowing a double fence.

**FISHER** Correct.

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** Question to the Petitioners. Mr. Jimenez, you talked about staining or painting the existing fences that are there through you, Dave, and Monica....

**JESUS JIMENEZ** Monica and Randy, my neighbors.

**TESTA** Okay, so their, the... Monica's fence is on your....

**JESUS JIMENEZ** West side.

**TESTA** West side. Does it also go to the back of your yard as well?

**JESUS JIMENEZ** So I guess if you have the zoning map, you can see it better. I know it's online, but we share a portion that runs north and south. When we get the very first corner, they continue to the west, they wrap around back to the front of the house. I pretty much, I painted both, all of their perimeter, front and back.

**TESTA** The north in the backyard. Yours is like a triangle. So you have two neighbors to your backyard, right? Do you have a wood fence already on the one portion that's not?

**JESUS JIMENEZ** Permit was submitted on April 24th and it was approved.

**TESTA** Okay. And that fence is in, and you have those neighbors' permission?

**JESUS JIMENEZ** Yeah.

**TESTA** Okay. So your idea, I think you talked about last time, but you're just connecting the fence from Dave's house to the other backyard neighbor, correct?

**JESUS JIMENEZ** Correct.

**TESTA** How many other... you mentioned the fence on Meadowbrook of the neighbor whose wife wrote a letter objecting, and now the husband has a letter of acceptance. They have a fence. How many other fences do you know of in the neighborhood?

**JESUS JIMENEZ** Out of the two, out of the four objectors, two of them have privacy fences. One of them is a wood fence, and one of them's a white privacy fence.

**TESTA** Okay. And I think I see a few picket fences throughout the neighborhood as well in the backyard.

**JESUS JIMENEZ** Yeah.

**TESTA** Okay. And to the best of your knowledge, you know those were there when you moved in, right? So you wouldn't know if they have approval from the homeowners association that may have existed before, right? Giving a question to Mr. Fisher, regarding that document that I was calling a homeowners association, what would you construe that document to be? And I didn't read all eight pages, so Mr. Jimenez has pointed out section I on page seven talks about lasting 35 years and 10-year renewal. So it seems like we are beyond that time, and that whatever that document is isn't in play anymore. Is that a good assessment?

**FISHER** I prefer to say we don't have in front of us anything that's new.

**TESTA** Okay.

**FISHER** Because it's conceivable, of course.

**TESTA** Sure. Based on the document we have.

**FISHER** Yes.

**TESTA** Okay, thank you.

**COPPOLA** Just for clarification, Mr. Fisher, it says it's 35 years plus 10-year renewal, automatically renewable terms. There's no limit on those renewals, right? So it just continues. It's really perpetual.

**JESUS JIMENEZ** [Inaudible]

**COPPOLA** I'm talking to Mr. Fisher, please.

**JESUS JIMENEZ** Read the rest of it.

**FISHER** Well, there is, there's more than just the deeds and the restrictions that they impose. There's also a state statute that governs when these restrictions can expire. So it's not, I don't know, as I said here, what one does what.

**COPPOLA** But it doesn't seem, based on the activity in the neighborhood, that it's been enforced. If it was still enforced.

**FISHER** It doesn't sound like it. I know they seem to have an Architectural Review Committee, unless it's just the one person.

**MEAGHER** Mr. Coppola, can I piggyback off that?

**COPPOLA** Sure. Go ahead, Mr. Meagher.

**MEAGHER** The document that he submitted, that I believe, is sitting in front of you from closing, who's ultimately responsible for letting a homeowner know that there is an HOA, because if a title company isn't going to catch that, that seems, that seemed odd to me, that's not submitted in the record, but that was very strange to me.

**COPPOLA** That's a seller's disclosure that we're given. They just check boxes. It's, I would like to, I would want to see the title commitment, title policy.

**KRISTINA JIMENEZ** We brought our [inaudible].

**JESUS JIMENEZ** I have my closing document, so if you want to review them all.

**COPPOLA** That's where it would be.

**MEAGHER** Sure. I just mean who is responsible ultimately? Because if I were to buy a house not knowing there's an HOA, I move in, and then somebody says I have an HOA, or a document from 1997.

**COPPOLA** The seller has to disclose that. But I don't think this is an HOA. This is a deed restriction. It's different. And in that case, the title company is responsible for finding that. So there would be a... that would be... if it was enforced.

**FISHER** It's a little bit strange because it's sort of tight between the lines, so it's not easy to tell what exactly was disclosed. It just says condominium slash owners association.

**COPPOLA** It talked about fees. Have you paid any fees? Basically, right? Or are any fees due, and there's no fees related to deed restrictions. So of course, the answer is no.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Yeah, question for Mr. Stierna. I noticed in our case package, there was a letter to Dave Bozyk regarding our decision back in February regarding his variance request. The variance was denied with the following condition, and said that the 72 feet of contested fence will be removed within six months, may be replaced with the agreed upon chain-link fence, or fencing which would comply with the fence ordinance. Also within six months. Has that fence been removed?

**STIERNA** Yes.

**BARINGHAUS** Okay. Now I still notice a lot of tan fencing around his home. Is that because it's on his property, so it was--

**STIERNA** The fence that was... the portion of the fence that was shared initially.

**BARINGHAUS** Okay. Thank you.

**COPPOLA** Any other questions for the Petitioner? All right. You can go ahead and take a seat back there for a second, if you would. Is there anyone in the audience that would like to speak for or against this petition? And again, remember, you're limited to two minutes. I'll need a name and address from all those who will be speaking, please.

**CAROL ANN STROHMER** Carol Ann Strohmer, 20535 Meadowview Street, Livonia.

**DOUG STROHMER** Doug Strohmer, 20535 Meadowview Street, Livonia.

**GRECO** And Eftiola Greco, I am from Miller Canfield on behalf of Mr. Strohmer.

**COPPOLA** Unfortunately, you're limited to two minutes so you can start the clock now. You can start it.

**BARINGHAUS** I haven't started it already. I was waiting for the introductions.

**GRECO** I'm assuming you all have the opportunity to read through the very long letter that I sent to you. But in essence, all of the issues that Mr. Jimenez brought up still fail to rise to the level that is required to obtain a variance. So first and foremost, there's no exceptional or particular hardship. He raises issues related to personal grievances, but the ordinance speaks to issues of the land that make something challenging in relationship to this piece of land, not the interpersonal conflicts between neighbors. Second, inconvenience is no hardship, so under Section 13 point 14, 7b, the inability to secure his neighbor's consent doesn't rise to the level of constituting a hardship to therefore give him a variance. Next piece, the substantial justice piece, requires that this request is denied because it would strip Mr. Strohmmer of his right to expressly deny consent, as the ordinance permits, and also the Board has already faced an identical situation with the Bozyk appeal earlier in....

**BARINGHAUS** You have 30 seconds.

**GRECO** Earlier in February, and so should the Board decide differently now, with indistinguishable facts, it would be inconsistent with its own precedent and now you all would move forward with the rest of this neighborhood who wants to erect six-foot-tall privacy fences without their neighbor's consent. So ultimately, I think the record that you're all very familiar with shows that these neighbors' relationship has kind of deteriorated past the point of--

**BARINGHAUS** That was two minutes. You can just conclude now.

**COPPOLA** I'll let you conclude.

**TESTA** Mr. Chair.

**GRECO** Also, ultimately, we just ask that you maintain the precedent you already set with the last identical request and deny.

**COPPOLA** All right. Thank you. Mr. Testa.

**TESTA** I would be okay if you give them more time, since there's three of them, and maybe at a minimum, give them each an opportunity to speak, or give them six minutes total.

**BARINGHAUS** So it's six minutes.

**COPPOLA** So they get another four minutes.

**BARINGHAUS** Four minutes? Okay. Thank you.

**CAROL ANN STROHMER** I think I'd like to....

**GRECO** Okay. Well, I kind of ran through all my....

**COPPOLA**

You went through that stuff really, really fast. [Inaudible]

**GRECO**

Yeah, ultimately, the request has to fail on a matter much more confined than the factual issues and the grievances that have been kind of exchanged between these neighbors for a while now, the ordinance is very clear. The condition, as I mentioned, has to be exceptional and peculiar to the property, right? So not necessarily to the issues that these folks are going through. Mr. Jimenez has complete use of his property, so if he chooses to erect compliant fencing that complies with the plan of the neighborhood, then he's certainly free to do that. And speaking of the plan for the last piece of the ordinance, Master Plan promotes neighborhood harmony and visual openness, and that piece that requires consent was very intentionally included in the ordinance. So stripping the rights of these neighbors for a peace that was, you know, very much intended to be part of the review for a variance, would essentially undermine the consent rules citywide for any neighbor who chooses that they want to do something different than what the code allows. So there's been obviously a great deal of personal issues that have kind of been put out for all of you to be very familiar with. One that is particularly important to respond to is the allegations of PPO that I believe was raised last meeting. Mr. Strohmer has never been served with a PPO. That is required for... if you're going to, have a PPO against anybody. Part of effectuating that process is service. He has never been served with anything like that, and PPO dockets are not public, so it's not something you just look up on the court's website to kind of confirm or dispel so unless you are personally served, there's just... it's very unlikely that there's a PPO in place. So ultimately, it's an issue that is much more narrower in scope than the personal issues. I think the ordinance is pretty clear.

**CAROL ANN STROHMER**

So what was talked about was a vinyl fence, not a wood fence, one that requires maintenance. It was a vinyl, four-foot vinyl fence with a two-foot lattice. So that was not even... we didn't... a wood fence was never even mentioned. It was never mentioned to us that he was going to put up a... this looks like a stockade fence.

**BARINGHAUS**

Thirty seconds remaining.

**DOUG STROHMER**

To the point that you brought up about Mr. [Bozyk] in the last meeting. The fence was taken down, but it also stated to replace the chain-link fence as it was. It's two feet short, and I think that was done on purpose. Right now that chain-link fence was not put back the way that it was taken down. It's two feet short of the property line.

**BARINGHAUS**

We're at four minutes.

**COPPOLA**

Yeah, no... that's something you'll need to take up.

**DOUG STROHMER**

Okay, I just wanted to....

**COPPOLA**

[Inaudible] separate issue. Mr. Fisher, I have a question, though, and I do apologize. I usually prepare over the weekends. And when stuff gets submitted afterwards, I sometimes miss it. So I'm looking at the letter that was submitted. I think it was submitted on Monday. It looks like based on dates. So there's three pictures in there, and those are, I assume, Mr. Jimenez in there. In these, the backdrop is a fence. So where is he in these pictures? Is he on your property?

**DOUGLAS STROHMER**

Yes, sir.

**COPPOLA** So does that fence face your property?

**DOUGLAS STROHMER** Yes.

**COPPOLA** So if I could ask, did you provide approval for that?

**DOUG STROHMER** I did not. The day before, when he said he was going to paint the fence--

**COPPOLA** No, no, you misunderstood me. This fence is erected now, and you can't erect a six-foot privacy fence unless you get neighbor approval. Did you provide approval for that fence?

**DOUG STROHMER** That's the [Bozyk] fence in the front part that goes from the... from where you see the corner there, it goes west to the telephone pole.

**COPPOLA** Was this the one that replaced an existing...?

**DOUG STROHMER** Chain-link.

**COPPOLA** So there was a chain-link here before?

**DOUG STROHMER** No, there was a five-foot shadow box.

**COPPOLA** Okay, that's what I recall. Okay.

**BARINGHAUS** Mr. Chairman, question. Is that the portion that's maybe 45 degrees, fence goes straight 45 degrees, and then I think it goes west. Is that...?

**DOUG STROHMER** Yeah, it comes perpendicular off his house.

**BARINGHAUS** Okay.

**ROTONDO** Mr. Chair.

**COPPOLA** Mr. Rotondo.

**ROTONDO** Question. I'm not sure, maybe I misunderstood. Did you state that you were okay with the vinyl fence, is that what you just said?

**DOUG STROHMER** We never gave approval for it, but we talked about it because Dave wanted to replace his whole fence. It was... he had done no maintenance on it the 10 years that he had been there. So he got to a point where he wanted to replace the fence. And he asked me, because I've done fence installations, what I would suggest. So I said, "If you did anything, you know, four-foot vinyl. I wouldn't do white, because it doesn't go with the neighborhood. If you want to put some lattice on the top," I said, "it probably would look nice." It would, you know, there was vegetation there in both properties. All that vegetation was removed by both of these homeowners.

**ROTONDO** So I guess I was thinking that you were talking about this current case when you said that you were referencing the other case with Dave, about the vinyl fencing.

**DOUG STROHMER** That was with Dave.

**ROTONDO** Okay.

**DOUG STROHMER** No, not this case.

**ROTONDO** Got you. Okay. Would you guys be okay with vinyl fencing in this case? Or no?

**DOUG STROHMER** No.

**ROTONDO** Okay, just the chain-link is...?

**DOUG STROHMER** Yeah.

**ROTONDO** Is there any compromise here? I guess is what I'm trying to get at.

**DOUG STROHMER** 17 years there's never been an issue with that fence. And there's vegetation there. There's been vegetation there. The vegetation was removed by Mr. [Bozyk] and Mr. Jimenez. So, I mean, you know, there was never an issue before.

**ROTONDO** Thank you.

**COPPOLA** Mr. Testa.

**TESTA** Question for the Petitioner. Is there an existing--

**COPPOLA** He's not a Petitioner.

**TESTA** Sorry. Question for Mr. Strohmer. Is there a[n] existing wood fence on your property line today?

**DOUG STROHMER** From the telephone pole east to the corner, runs perpendicular into Mr. [Bozyk]'s house.

**TESTA** Okay, that's a shared fence line with you and Mr. Bozyk?

**DOUG STROHMER** Yes.

**TESTA** Okay. Did you approve that fence?

**DOUG STROHMER** Not originally. No, no. He put that fence up without permission from the City or myself, that it appeared to be on my property, and there was no survey done. So a survey was done, it was found to be on my property. The agreement was that he would one, get a survey, and if it was, he'd move it over.

**TESTA** Okay.

**DOUG STROHMER** And two, that he would remove from the telephone pole west and put back the chain-link fence.

**TESTA** Okay.

**DOUG STROHMER** He didn't have the approval to do either.

**STIERNA** They have the agreement from you, sir.

**DOUG STROHMER** Yes, sir, yeah, for to remove the wood and put up the chain-link.

**STIERNA** The wood fence up to the telephone pole. And he was mostly the chain-link fence, which he since had to restore.

**DOUG STROHMER** Correct.

**STIERNA** So.

**DOUG STROHMER** But he didn't restore fully, though. It's two feet short.

**STIERNA** I was going to say, according to my inspection reports, he is satisfied that the fence is, so.... If I--

**DOUG STROHMER** [Inaudible] pictures of it shows it's two feet short.

**COPPOLA** Yes, take that up separately with the Building Department.

**STROHMER** So I did, I did do that. I did go and I talked to the actual Inspector who closed that inspection out. I waited for him to come back to the office. And he told me, "Too bad. So sad. If you want it done, do it yourself." That's what he told me.

**STIERNA** I will review.

**COPPOLA** Okay, thank you. They'll review it for you.

**TESTA** So the wood fence that does exist, you did approve the one that's currently still standing, right?

**DOUG STROHMER** Mr. Bozyk's.

**TESTA** Yes. Okay. Why is that? Why are you in agreement on that fence?

**DOUG STROHMER** So at the last meeting, I was trying to compromise with Dave, I said... he was trying to do the fence thing. There was originally a five-foot shadow box there. I said, "Dave, go ahead and keep that, but I want you to remove that [inaudible] stockade fence and put my chain-link back." We both agreed to that if the survey showed he was going to move it and he was going to take that part down and put the chain-link back, and that's what we agreed upon. And at some point, David decided that he was not going to honor that agreement.

**TESTA** Okay, thank you. I guess I misunderstood. Yeah, I guess I misunderstood last time that there was gonna be a wood fence that remained. Maybe a question to Mrs. Greco. Miss Greco, sorry, I didn't reread your letter today, yesterday. I don't recall seeing anything about the potential homeowners association or deed restrictions that would limit the ability for someone in the subdivision to put a fence in. So you don't seem to be making that claim, correct?

**GRECO** Right. I so first of all, I'm not sure where these came from.

**TESTA** Okay.

**GRECO** And the first page actually says that these provisions are as of January 1997. So between the first page and the second page, we would have to assume that those returning provisions on 35 years and everything else that those same provisions are incorporated into this first document from 1997 as 1998 and there's just no way you can really do that.

**TESTA** Okay.

**GRECO** So it wasn't part of the analysis, because I just had no way of... we don't have a complete document.

**TESTA** Okay, we'd say you considered it, though, but because you didn't have the full story, you couldn't collaborate it.

**GRECO** Correct. I'm not sure what this actually addresses, but I mean, I think ultimately, outside of the deed restrictions....

**TESTA** Okay.

**GRECO** His appeal is ultimately for a variance. So that was the focus of....

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

**MEAGHER** Mr. Coppola.

**COPPOLA** Mr. Meagher.

**MEAGHER** Question for the Petitioner.

**COPPOLA** You mean the....

**MEAGHER** I have a question for the Petitioner.

**COPPOLA** For the Petitioner?

**MEAGHER** For... yes. Sorry, just did the same thing you did. This has been a burning question since the last meeting, and I don't really want to get into the interpersonal part of it, but it's the elephant in the room to me. There's a fence there, whether it's short or not. There are problems with a dog, problems with your neighbor.

**DOUG STROHMER** Those are accusations.

**MEAGHER** Okay, regardless, we spent an hour on it last time we met. There's already the fence for... that's in the pictures that you submitted. It's already there. What? What is stopping you from just saying, let him put up the fence, then we don't have to see him. Then we don't have to.... That's the piece that I just don't get is, why not just have him do it and let this all be over?

**DOUG STROHMER** Because I have, I have some property rights.

**MEAGHER** Okay. So that is, that's what you're—

**DOUG STROHMER** I do.

**MEAGHER** --fighting for. That's fine. That's fine. I don't, I'm not. I'm not trying to say that one way or another. It just was not clear when I went through everything of what we're actually trying to solve for who, because it seemed like you were okay with again, having the fence put up for Mr. Bozyk.

**DOUG STROHMER** Well, no, I-- that's not exactly true, because he put the fence up without any authorization or approval from the City. When the City found out about it, Dave needed the City's approval—

**MEAGHER** Okay.

**DOUG STROHMER** --and my approval to go forward. I compromised and allowed Dave to keep the one part, but he had to move it over. The one part that was wood originally from when the Matthews lived there, but I wanted the chain-link back.

**MEAGHER** Got it, okay.

**DOUG STROHMER** I don't want my whole backyard to be a stockade fence.

**MEAGHER** That's the piece that I was missing. Thank you.

**GRECO** I'm sorry, through the Chair. Not to push back, but ultimately the burden is on the appellate to establish a need for a variance. And so....

**COPPOLA** He was getting more to the gist of the practical nature, not all the legal side. You know, there's tension between the neighbors. The dogs are barking at each other, separation would seem to be a logical solution. Why not just have separation? That's what he was asking. That's all.

**CAROL ANN STROHMER** Yeah, well, not a wood fence, not one that requires maintenance. A vinyl fence is a little bit different. Now, I don't-- I'm 62 years old. I don't want to have to do maintenance on the fence. And he could say he would do it, but what happens if he sells? What happens if he dies? Then what happens? You know, it's still going to be our responsibility. It's still going to be our backyard. So a vinyl fence.

**COPPOLA** If I read through the lines that you're saying that you may be acceptable to a vinyl fence, you just don't want to.... You don't want a fence that requires maintenance. You want a maintenance-free structure.

**DOUG STROHMER** Well, that's what we had discussed with David.

**CAROL ANN STROHMER** That's what we had discussed with David.

**DOUG STROHMER** Discuss what he was going to do in his entire yard. Now, we never discussed a wood fence at all. The wood fence never was discussed. So if you're talking apples to apples, you're not. It's apples to oranges. Wood fence, vinyl. Apples, oranges.

**COPPOLA** So... again, going back. So as a compromise, would vinyl fence be acceptable to you?

**DOUG STROHMER** It would not, because there's nothing wrong with my chain-link fence. The chain-link fence is fine. The entire neighborhood is open, park-like. It, my whole backyard, the feel of my entire backyard. It turns it into a prison. I don't want that. I'll put up arborvitaes. They could put up arborvitaes. I planted probably on my property since I've lived there, two apple trees. I planted probably 18 arborvitaes, emerald green arborvitaes. I planted probably 30 green giants. I planted a dogwood in the front. I planted, I planted all kinds of trees. Why can't we do that? Why can't we leave the chain-link the way it is, put up the nice greenery? Good to go.

**COPPOLA** Okay, anything else? Thank you. Anybody else who would like to speak for or against this petition? I'll need a name and address, please.

**RANDY SUMMERS** I want him to have the fence.

**COPPOLA** Pardon?

**RANDY SUMMERS** I want him to get the fence.

**COPPOLA** I need for you to step forward and you have to give a name and address. If you want to be on the record, even if you have a few words to say, I'd appreciate just going through that so we have a proper record.

**RANDY SUMMERS** My name is Randy Summers. I live at 38620 Morningstar Street. I moved in there five years ago, and we had a chain-link fence all the way around our yard. We got two pit bull dogs. They're good, they're licensed. We got the license through here. They're good dogs. But Doug's dog would run the fence on the other side by Jeff's house, and my dogs would constantly go to that fence. But that dog would run up and down, up and down, up and down. So I decided I was going to put a privacy fence up. So I put a wood privacy fence up. I talked to all my neighbors. They all complied. Jeff complied. Chuey complied.

**MONICA SUMMERS** Teresa.

**RANDY SUMMERS** Teresa.

**MONICA SUMMERS** Joanne.

**RANDY SUMMERS** Joanne and Becky and Don, they all complied. So I put the fence up. Well, after I put the fence up, I didn't take the second fence down, the chain-link because my dogs, I didn't want to take the fe-- because you can't put two fences up at the same time, so I put the privacy fence on the inside, and once it got up, I had to have back surgery, so I couldn't take the second fence down. Well, Barb and Pete called on me and said I had a double fence. Well, I went to Barb and knocked on her door, and I said, "Barb, why would you do this?" And she says, "I don't know nothing about—" I mean, [her] husband came out said, "I don't know nothing about this. Barb, why would you do this? You can't even see their fence." She said, "Well, the reason why because raccoons could get in between the two fences." I said, "The fence was abut right against each other." Nothing could get in between them, but I understand the rules, and I did take [it] down to comply. Took down the fence, the chain-link fence, but I lived in Livonia for 20 years in Castle Gardens. I lived on Joy Road for three years. I'm over here for five years. I've never dealt with someone like him in my life. When I moved in, he put orange stakes on my driveway. I didn't know where they come [sic] from, so I went. I took the orange stakes out. He was offended, because he thought he was going to put on my driveway without even asking me. Who does that? Who's forward and imposes himself on you like that?

**MONICA SUMMERS** Monica Summers, 38620 Morningstar, Livonia. Yeah, so our fence went up when we first moved in there. That is what Doug did. We didn't know it was Doug. We didn't know if it was a landscape company or a snow removal company who came on our property and staked off my property for snow removal.

**RANDY SUMMERS** All the way down to the back.

**MONICA SUMMERS** We removed them. So what Doug did in retaliation, since we didn't hire him to do our driveway, he would pile the snow in front of our house.

**RANDY SUMMERS** He would pile the snow at three in the morning.

**MONICA SUMMERS** I have a video.

**RANDY SUMMERS** [Inaudible] There's our bedroom.

**MONICA SUMMERS** Which, he comes by our bedroom window and drops the plow and scrapes back, drops the plow. And here's my bedroom window, right here. So the dogs are barking. I'm up. He's up. He's got to get up for work at 6am. We're up at 3:30 trying to get the dogs to quiet down and see what is happening at our house.

**RANDY SUMMERS** And what I don't understand is just going to Dave's house. Dave has a built-in pool. He's got two teenage children there. Now, why in the world wouldn't you want a privacy fence going across?

**BARINGHAUS** You have 30 seconds. You have 30 seconds.

**RANDY SUMMERS** Okay. And also, they said that they're dumpster fences. Well, Doug has a fence just like that, going from his house to his garage. A dumpster fence, he calls it. It's a privacy that's a dog-eared. It's a nice--

**MONICA SUMMERS** It's a dog-eared fence. It's the thicker, better.

**RANDY SUMMERS** I got pictures of my fence. It's a nice fence. It was done very well, very nice.

**MONICA SUMMERS** [Inaudible] offered, if we would buy because Randy had back surgery, since I couldn't get out there and do it, if he would do, if he would spray the fence for us. He would weatherize it.

**COPPOLA** If you can just wrap up, please.

**MONICA SUMMERS** Yeah, and he did. I mean, we have great neighbors. The only neighbor that we have this tension with consistently is these two.

**RANDY SUMMERS** And bar--

**COPPOLA** All right, okay, thank you.

**RANDY SUMMERS** All right.

**COPPOLA** Anyone else?

**COGSWELL** I'll speak, if I'm allowed to.

**COPPOLA** You are. You have two minutes.

**COGSWELL** I don't live in Livonia. I don't live in the neighborhood.

**COPPOLA** Interesting. You're permitted to speak. You're in the audience. Get two minutes. I just need name and address.

**COGSWELL** Ray Cogswell, 4524 Winifred, Wayne, Michigan. So I have known and worked side by side with Douglas for 15 years. I've known his wife. They're like family. I know their dog. I also know the people that just spoke. She actually worked and helped out property and got fired, so she's mad because she don't have a job anymore. They all sit around and party and drink. They don't. So I don't know... I've seen, I was at the property when Chuy came up there to ask permission. And I started counting. He asked 17 times in 10 minutes for a yes for the fence. He would not take no for an answer, and kept trying to bully and bully and bully. He's sitting behind me. He's kicked my chair three times in the meeting. Like, why? It just makes no sense. He's a bully. So all that, he keeps saying that they're doing. He's never home to do it. We're always working. So I don't know how he's always home and causing all these problems. So I hope you guys can see through a lot of the BS that has been shoved in front of you. That's it.

**COPPOLA** All right. Well, thank you.

**COGSWELL** Thank you.

**COPPOLA** Anyone else?

**BOZYK** I'll speak. David Bozyk, 38530 Morningstar. A lot of you reference my past case per se, and to this day, I still wish I had the full run of my backyard as a privacy fence. I had to, in the beginning, two years ago, Doug and I had discussed the privacy fence. Material was not a problem, or it wasn't an issue. You know, we did talk about the vinyl. I'm like, "All right, well, give me a quote on the vinyl." I don't know where this four-foot, two-foot. Who's ever seen a four-foot vinyl fence with two foot of lattice? I've never seen one. It was six foot. We talked about a six-foot privacy fence. Now, if that top one foot was lattice. So be it. It was still a six-foot privacy fence with vinyl. The quote was too high. It was \$20,000. That's why I went with, you know, the other neighbor did the wood. I'm like, "All right." I mean, we agreed the fence needed to be replaced. It was all different materials. Okay. So someone else quoted me for half the price, \$10,000. That's when I went and did the wood fence. He knew I was doing a wood fence. He had actually asked for some of the material from the chain-link that I was taking down, even though he changed his mind. He's like, "No, I don't want it." So him saying that he didn't know that I was putting up a wood fence is... BS. All right, moving forward, okay? He didn't like it after I put it up, that's when he reported to the Zoning Commission.

**BARINGHAUS** You have 30 seconds.

**BOZYK** Okay. Anyways, I'll skip all that. I complied to the City. It's been a nuisance ever since. He has deliberately gone out of his way. I understand that you guys don't want to push a fence on someone that they don't want, but when someone deliberately is disrespectful and invades your privacy intentionally. Yeah, he works all the time, but when we have company, and he comes and mows the grass when we're having company, or blows, or weed whacks, or intentionally does stuff to invade our privacy. I think we both deserve, you know, privacy fence.

**COPPOLA** Okay.

**BOZYK** I mean, it's just gone out of control.

**COPPOLA** All right, thank you. Time's up.

**BOZYK** All right, thank you.

**COPPOLA** Anyone else?

**WOLFE** I'll just take 30 seconds. [Inaudible] 11878 Lexington in South Lyon, Michigan, I used to be Doug's neighbor. The Jimenez family purchased my house and moved in there. But I'd just like to state that before this fence issue came up, which I could care less how it ends up, we were all friends. They, you know, Doug was friends with everybody here. So this fence issue is the only thing that's caused an uproar. Okay, so I just want you to keep in mind everybody was friends at one point. Okay, thank you.

**COPPOLA** Thanks. Anyone else? Seeing none, do we have any correspondence?

**KLISZ** We do.

**SANSON** Can I say something, or no?

**COPPOLA** Did you...? Yeah, go ahead. Be a little quicker next time.

**SANSON** Yeah, sorry.

**COPPOLA** Name and address, please.

**SANSON** Jose Sanson, 31520 Cyril Avenue, Fraser, Michigan. I also don't live in Livonia, but I'm just here, kind of like as a character witness, same, similar as to his employee came up here. I've known Chuy, Jesus Jimenez, my whole life. I mean, this guy, we grew up in Detroit together. He moved out to Livonia, been living there his whole life. Graduated from Franklin in Livonia. Was living over by Madonna University before he purchased this house on Morningside. Beautiful home. They've always took [sic] really great care of their houses, beautiful gardens, beautiful flowers. They, every house that they bought, they actually beautified it, and they left it in a much better condition than how they found it. I'm here because we have kids the same age. He has a really nice jacuzzi hot tub in his backyard. I was over there one weekend, May 28<sup>th</sup>, and my kids were, his kids were in the jacuzzi. We were down by the fire pit having a bonfire, and I noticed Dave and two other people kind of just standing in that one corner that they've been referencing, and they're just staring at us. I mean, we're not being loud. We're not, you know, nothing. Kids are in their bathing suits, you know what I mean, coming in and out, kind of still like a small kickback, not a crazy party, you know, drinking, loud music, anything like that. Like the one guy just came up here and said, and I just thought it was odd, and I just, before I knew what was happening with all this friend stuff, I'm just kind of like, why are they standing there? You know what I mean? It's like staring in this direction, like I was feeling uncomfortable because I got two young, two young boys, and then as I started learning about what's happening here, it's like, dude, he has a pool, he has kids, he has—

**BARINGHAUS** 30 seconds.

**SANSON** Sorry, I'm almost done, but, yeah, he has the same fence that he's opposing. He has it on his property. And I just think it's weird that you want to look into their yard, because he talks about having this view, there is no view. The only view now is his yard, because everything else is blocked off with the same kind of fence. So it's the only view that he wants to fight for, is directly into his backyard and his jacuzzi at that. And I just find that odd. That's all I wanted to say. Thank you.

**COPPOLA** Thank you. Okay. Correspondence.

**KLISZ** Yes. A letter from Nancy Gaston, 38685 Jahn Drive, (letter of objection was read). Letter of approval, Donald L-A-X-E-G-E [Landess], 38640 Morningstar (letter of approval was read). Letter from Terry McIntosh, 38516 Jahn, Livonia, (letter of objection was read). Sylvia-- Silvana Tomassi, 20550 Meadowview, (letter of objection was read). Barb Bowman, 20469 Meadowview, (letter of objection was read). That's the letters.

**COPPOLA** Thank you. All right. Mr. and Mrs. Jimenez, is there anything you'd like to say in closing? No, I will.

**JESUS JIMENEZ** Here's a copy of the PPO that was officially filed. It was denied the next day, because the day that I filed it on July eighth, there wasn't any more than two points of unwanted contact, but that night on July eighth, when he was in the backyard, it would have been the third one. August eighth, that would have been the fourth unwanted consent-- contact.

So there's the copy of that for your records. The fence that I'm trying to put up is the same fence that he has at his front gate. A six-foot wood dog-ear privacy fence, the same that matches the objecting letter that was submitted from 20469, whose husband signed my approval. Again, I want to reiterate, all the objecting letters are still dated for last month's meeting, meaning they're all out of the 300-foot range one from 38516, here's the picture of her fence. So while everybody's teaming up saying I can't have a fence, three of the objectors have fences at their homes. I'm asking for fairness to continue the same style fence that's there. The only one that has something different, that's 38516 Jahn. They have a vinyl fence. Doug has a wood fence. Randy has a wood fence. Dave has a wood fence. Pete and Barb have a wood fence. I already have a wood fence. I'm trying to finish off the last 72 feet. That's it.

**COPPOLA** Thank you. I'm going to close the public portion of the case and start the Board's comments with Mr. [Klisz].

**KLISZ** I was not at the last meeting, so I did spend a long time reviewing all of the minutes, all of the videos, all the documentation, all the resident responses. Obviously, we've sort of resolved this deed restriction thing, and it's really tough. I honestly don't know where I sit right now, because I can see both sides of it. Obviously, we rarely grant a fence when a neighbor opposes it, and in fact, we did it very similarly on a similar neighbor just this year. So I am literally on the fence.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Thank you. Like Secretary Klisz, I went through a lot of material and heard the argument several times tonight. I mean, essentially, [inaudible] that's where we're at today. In this particular case, you have a double fence situation being proposed with the chain-link with the privacy fence expressly prohibited by city ordinances. We have no neighbor authorization. And to me, that's a critical piece. I think every neighbor, both neighbors, have to agree on a privacy fence. I think that's a really basic tenet for good neighbor relations, and to not have that, then you're diminishing an owner's control over their property and their property lines as well. Really, I didn't really hear a hardship being established. I mean, poor neighbor relations, I don't believe that's grounds for a variance from what... from my experience as well. So based on that, I will not support the variance.

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

**TESTA** Thank you, Mr. Chair. Yeah. I'm not really sure what I want to say. Last time I was in support. I don't think that's changed too much. I'm kind of sad we're in this condition. I was hopeful with the table motion I made last time that that was possible, although highly unlikely, that there could be some discussion between the two neighbors to work out some type of compromise, whether that be a fence or vegetation or providing something to provide some privacy between the two neighbors. I think clearly it's needed. Watching the videos that were posted or, I guess, given by both sides and the police. It does clearly show there is a contentious relationship between both sides. But yeah, the hardship I struggle with that too, is that I don't think a hardship is bad relation between neighbors. That being said, something needs to be done to remedy the situation in terms of making it better for everyone in the neighborhood. And I guess last meeting, I misunderstood that there were no other fences like this in the neighborhood, so that does sway me a bit that there are other fences. So I guess I'll have to listen to what everyone else has to say.

**COPPOLA** Thank you. Ms. Hakala.

**HAKALA** I'm a little bit back on the side of Mr. Baringhaus, and I'm not likely to approve this. I... while there is a lot a lot of tension between these two individuals and properties, and it just... I don't feel like I can grant a variance, even with the duplicitous nature of individuals seen on the videos. And I just, I can't. There's no real... I guess there's no... there's nothing physical, there's nothing tangible, beyond individual disagreements.

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

**MEAGHER** In a situation like this, I'm actually going to thank the Strohmers' lawyer for laying everything out from all four pieces. I think that very clearly states all of what we do in making decisions here. I think the interpersonal piece is the piece that I have a problem with hearing both sides. I mean, in a situation like this, you're going to hear, "Yeah, my friend is a good guy," right? It's, that's who you bring as a character witness. What I think the piece that I hear now with the gentleman who sold the house to the Jimenez family is, things have changed, and regardless of who it is, you guys are being jerks to each other, and I think that that piece has to be solved regardless of what it is. So I think I could be swayed either way. I just wish that, like I said last time, go out in the hallway and shake hands and have a cordial conversation with all of your neighbors. I think Mr. Testa alluded that that's kind of why we tried to give a little more time as well. But in this case, I still am not sure what [inaudible] left or right.

**COPPOLA** Mr. Rotondo.

**ROTONDO** Yes. Yeah. As all my colleagues have stated, this is a tough one for us, because it's so much, it really seems like a petty argument at the end of the day, and it's so much he said, she said, and there's really little we can do to verify. Facts. I think some people are making facts and also exaggerating on both sides, right? So I guess what I come down to is there clearly is a legitimate conflict between these two neighbors, so I think it would be good to have separation. However, it's difficult for me to want to approve a double fence here, because who is going to maintain the area between the chain-link fence and the privacy fence? So I guess I'm not going to be in favor of this plan, per se. So I guess that would be a denying motion tonight, and hopefully there can be something worked out between the two parties. Maybe that looks like a vinyl fence. I know you guys were a little bit open to it, at least, and you could come back with that, maybe. I don't, I mean... that, or landscape treatment or something. I guess I would probably be against this, as is tonight. Thank you.

**COPPOLA** All right. Thank you. I too would probably, I think, as I did before, I would be against the variance, and very hesitantly, so it seems like there's a breakdown in their relation to the neighbors, and some type of physical separation would be, I would think would be a good resolution to that. But ultimately, and as I voted, and you can go back on my record very consistently, I want to serve a neighbor's right not to have a large privacy fence put up. There are, I won't call them hardships, but there's definitely tension between the parties. I wish there would be a way to resolve it. It's unfortunate. There are alternatives that were mentioned, and I believe possible. You could do vegetation. There's also, they call those, again, for those fences that go inside the property line. They're...

**KLISZ** Privacy.

**BARINGHAUS** Privacy screens.

**COPPOLA** Privacy screens. You can use a privacy screen as an alternative. Some shape or form of a privacy screen. So there's alternatives to that, but I'm going to be... I'm going to remain consistent in how I've dealt with these and unless they're extremely extenuating circumstances, I will not overrule a neighbor that does not want a privacy fence. So open up the floor for motion,

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Resolved that the variance sought in Appeal Case No. 2025-07-25, filed by Kristina and Jesus Jimenez, be denied for the following reasons and findings of fact: the Petitioner has not demonstrated to the Board that practical difficulty exists, and that as proposed, the double-fence situation will be created. There was no neighbor authorization for the privacy fences, and again, no real hardship was demonstrated. Further, that the denial of this appeal is in the best interest of the City of Livonia.

**MEAGHER** Support.

**COPPOLA** I have a motion by Vice Chair Baringhaus, supported by Mr. Meagher for denying. You can go ahead and take roll, please.

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

**RESOLVED: APPEAL CASE NO. 2025-07-25, 38560 Morningstar Drive (tabled on September 9, 2025):** an appeal was made to the Zoning Board of Appeals by Kristina and Jesus Jimenez, seeking to erect a privacy fence against an existing chain-link fence resulting in two fences separating properties and a privacy fence erected on a shared property line without neighbor authorization, which is prohibited.

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

**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 proposed fence would create a double fence situation,
3. There is no neighbor authorization for the privacy fences,
4. No real hardship was demonstrated, and
5. Further, that denial of this appeal is in the best interest of the City of Livonia.

**ROLL CALL VOTE**

AYES: Baringhaus, Meagher, Hakala, Rotondo, Coppola

NAYS: Klisz, Testa

ABSENT: None

PASS/FAIL/TABLED: PASS: DENIED

**KLISZ** Ms. Hakala.

**HAKALA** Aye.

**KLISZ** Mr. Meagher.

**MEAGHER** Aye.

**KLISZ** Mr. Rotondo.

**ROTONDO** Aye.

**KLISZ** Mr. Testa.

**TESTA** No.

**KLISZ** Secretary Klisz votes no. Vice Chairman Baringhaus.

**BARINGHAUS** Aye.

**KLISZ** Chairman Coppola.

**COPPOLA** Aye.

**KLISZ** Five to two. Denial passes.

**COPPOLA** Okay, so the variance has been denied for the reasons that the Board had stated. It's unfortunate. I hope that you know, living somewhere with all that tension is really not healthy for anybody. I'm hoping you guys can work something out. Very unfortunate. Find a way to get along, please.

**JESUS JIMENEZ** Yeah, that's not gonna happen. Thank you very much for your help.

**KRISTINA JIMENEZ** Exactly.

**COPPOLA** I apologize.

**JESUS JIMENEZ** City that says families first. This is how you treat two families.

**DOUG STROHMER** I hope you guys get [inaudible].

**JESUS JIMENEZ** Too helpful with kids.

**DOUG STROHMER** [Inaudible] one of you. I hope you get the same thing.

**CAROL ANN STROHMER** [Inaudible] neighbor.

**DOUG STROHMER** You deserve it. [Inaudible] Shame on all of you.

**CAROL ANN STROHMER** You say we don't have proof?

**DOUG STROHMER** Shame on YOU.

**CAROL ANN STROHMER** Here's proof of what he does, and I have videos.

**JESUS JIMENEZ** As I said, put it on record. I'm putting the fence up. Be ready to issue your tickets.

**COPPOLA** Just call the next case, please.

[Inaudible crosstalk]

**STIERNA** He doesn't understand that doesn't go to tickets. Sorry.

**APPEAL CASE NO. 2025-09-30, 33243 Plymouth Road:** an appeal was made to the Zoning Board of Appeals by Sheldon Center, LLC on behalf of Lessee Ivy Rehab, seeking to erect a wall sign resulting in a wall sign erected in excess of allowable sign area.

**Sign Area**

Allowed: 25 square feet  
Proposed: 37.5 square feet  
Excess: 12.5 square feet

This Corridor Commercial property is located on the south side of Plymouth Road (33243), between Farmington Road and Woodring Avenue, Lot. No. 134-99-0003-004, C-2, General Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) – Sign Regulations – wall signs – maximum area.

**COPPOLA**            You know, I guess we probably should have checked to see if the Petitioner is even here.

**MAKKI**                I don't think they're here.

**HAKALA**             You don't want to stand for them, too?

**MAKKI**                No, it's probably the easiest one tonight.

**BARINGHAUS**        We could use that.

**KLISZ**                The Petitioner not here. We'll pass this case. They did not check in, so.

**COPPOLA**             All right. So you can call the next case, please.

**BARINGHAUS**        You don't need an allowable sign, do you?

**COPPOLA**             Thank you for your patience.

**APPEAL CASE NO. 2025-09-31, 37453 Schoolcraft:** an appeal was made to the Zoning Board of Appeals by 3CS Schoolcraft, LLC, on behalf of Lessee Olla Makki, seeking to operate a commercial personal services business in an industrial zoned district, which is prohibited.

This Tech and Manufacturing property is located on the south side of Schoolcraft Road (37453), between Waco and Newburgh Roads, Lot. No. 117-01-0029-003, M-1, Light Manufacturing, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.16 – Prohibited Uses (a).

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

**STIERNA** I'm done. No, I have nothing to add to this case at this time.

**COPPOLA** All right. Thank you. Any questions for Mr. Stierna?

**TESTA** I have a question for Legal... Law.

**COPPOLA** Mr. Fisher, there's a question for you.

**FISHER** What's the question?

**TESTA** What's the rationale for why the ordinances are written that you couldn't use like her proposal is a lighter intensity use than light industrial. Why wouldn't we allow this just through the regular ordinances?

**FISHER** Well, to some extent, the Zoning Ordinance an organic document that grows part here, part over there, and part over there, and that's sort of what's happened here is different things happen when different needs were perceived at a specific time. In the why we have waiver use in industrial districts for recreational facilities is, we started getting a lot of applications from people who said, "I can't find a tenant for my industrial building. But there are these people who are desperate for someplace to play volleyball, and we need high ceilings. It's the perfect building for this. Let's have it." So that's why we said, "Okay, that's gonna be a waiver use for that." Nobody came to us and said, "We need to put it be able to wash hair inside this industrial building." For whatever reason, that's never come up. So that's... that's right.

**COPPOLA** A first for everything.

**FISHER** Yes.

**TESTA** Okay, thank you for the explanation. Makes sense.

**COPPOLA** Anything else? Seeing none. Name, address for the record, please.

**MAKKI** Hi, guys. Thank you for your time today, all of your extra, extra time. I don't know if you want to be here this week. My name is Olla Makki. I'm requesting a variance to operate my salon business at 37453 Schoolcraft Road.

**COPPOLA** So are you in operation now?

**MAKKI** Yeah, I've been in business for 22 years, first in Dearborn, then in Dearborn Heights. I recently, a couple years ago, moved to Dearborn Heights-- to Livonia. Myself and a lot of my clientele has moved out here. So I find that 60% of my clientele is driving 20 minutes to where I'm at now, and I just want to be closer to home, closer to my kids' school. I saw this building just driving by. I called, I went to see it immediately. I loved it because, you know, easy access, right off the highway. It is a regular building. I know there are some more industrial buildings surrounding, not necessarily right next to where we're in, but there's one behind. There's Madonna University, kitty-corner. But the building itself just looks like a regular commercial building. So when I went to see it, the realtor let me know, "There's... you're gonna have to get a variance because this is zoned as industrial, but you shouldn't have a problem, just go to the City." So I've been honestly, I've just been waiting for this for a while. I spoke to Matt a couple of times. I've gone to the office a couple of times and spoke to him. Yes, so I just... I'm here to seek approval.

**COPPOLA** What other.... Have you looked at other areas? There's lots of vacant retail space that would... you wouldn't require a variance for.

**MAKKI** There is. The reason I like this, like I said, is because it's right off the highway. It's going to be easy access for my clients who are coming from... I get a lot of people from Livonia, Northville, Dearborn Heights, Novi, Canton. I have a lot of... it's just a good central area. Also, you mentioned high ceilings is good for recreational. It is also good for a salon. We want high ceilings, open space. I do go by appointment only. I do, of course, plan on having several chairs in the salon, but it is appointment-based only. Nothing is going to be rowdy or cause a commotion. You know, it's a hair salon.

**COPPOLA** What is your glam?

**MAKKI** A glam room is basically just a room used for makeup application. So the main area would be just for the styling chairs for hair styling, and then the glam rooms are going to be just for brow waxing or makeup application. Some stylists like to have a private room for that.

**COPPOLA** Okay, so right now it's just you, and there's what, five glam rooms proposed?

**MAKKI** Well, this is just how the building is set up now. This is how I want to build out my salon. Of course, I hope to get more employees with me if I do get approval, but that's not something I can do until we have approval.

**COPPOLA** Have you talked with the landlord about actually, because it seems to me, there's... we have the use waiver for the.... [Inaudible] Shouldn't he-- It seems to me like this is prime for a rezoning. Have you discussed that with...?

**MAKKI** I spoke to the landlord. He didn't really have a problem with it. They haven't tried to do a rezoning for the actual building. I believe he purchased it maybe a year or two ago. But, and also the karate place, they didn't do a variance. They did a waiver use, I believe.

**COPPOLA** But again, it's something that if they had changed it to C-1, it would have been allowed. So just like yours would have been allowed. So if they change the zoning, it

would have met all... no one would have had to go get waivers. So it seems, it just seems inequitable that this building owner is making all their tenants spend this money, time, and effort to get waivers, when really the effort should be on the building owner to get a rezone. Because I agree, it should be. It should be rezoned. It does no longer fit really well into that, into that kind of zone set.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** How many employees do you plan on having at the salon?

**MAKKI** Probably myself and about three or four other.

**BARINGHAUS** Okay, and it's by appointment only?

**MAKKI** Yeah.

**BARINGHAUS** Okay.

**MAKKI** Yeah.

**BARINGHAUS** Services you provide: styling....

**MAKKI** Styling, coloring, cutting, brow waxing, makeup application.

**BARINGHAUS** Okay, general salon services.

**MAKKI** Hopefully we can get a barber in there for the men's haircuts.

**BARINGHAUS** With glam rooms?

[Laughter]

**MAKKI** [Inaudible]

**BARINGHAUS** How do you feel you're situated on parking?

**MAKKI** I think parking is fine. I had a 550, 300 square foot salon that I had six barbers and eight hair stylists, and we only had 16 parking spots. We, as the employee, we used to park on the side streets to make room for the clients. Obviously it's for convenience of clients. But I'm driving up and down there all the time because I live right-- I live at Seven and Newburgh. Yeah, I don't really see parking to be an issue. You know, there's parking in the back for myself and hopefully potential employees. And then, like I said, everything is appointment based, so we shouldn't run into any issues with that.

**BARINGHAUS** What do you envision your hours of operation would be?

**MAKKI** I personally work nine to four. If I have other stylists, I would say that a salon typically should be open till about 7pm, but no later than that probably.

**BARINGHAUS** How many days a week will you be open?

**MAKKI** Six or seven.

**BARINGHAUS** Six or seven.

**MAKKI** Yeah.

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

**COPPOLA** Any other questions for the Petitioner? Seeing none. I will skip the audience.

[Laughter]

**KLISZ** There's no letters.

**MAKKI** There's not a lot of people here. I don't know what he's....

**BARINGHAUS** You're thinking, "Great. They're interested in my salon.

**MAKKI** I was like, I hope all these people aren't against me.

**MEAGHER** They saw "glam room."

**COPPOLA** [Inaudible] And then there's no [inaudible]. Anything you'd like to say in closing?

**MAKKI** Well, if I do get to get this place, I hope to see you guys over there.

[Laughter]

**BARINGHAUS** Baringhaus gets a discount. It hasn't even opened yet.

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

**ROTONDO** Thank you. Thank you for being here with us tonight. I know you've waited a while to be able to present your case, so I appreciate you sticking around all night. I think this is, as Chairman Coppola alluded to, a situation that probably is more in line for rezoning. But that being said, I don't know how much leverage we have to force the building owner to come here and or to go to Council and actually rezone it, and they've already gotten the waiver use for one of the adjoining units, so I guess I would be in favor of approving this tonight. Thank you.

**COPPOLA** Thank you. Mr. Meagher.

**MEAGHER** I think everything I would say is what Mr. Rotondo just said, so I'd be in favor of the salon.

**COPPOLA** Thank you. Ms. Hakala. I'm so sorry to keep [inaudible].

**HAKALA** [Inaudible] some NyQuil in my pocket.

[Laughter]

**BARINGHAUS** Keep your cough drops.

**HAKALA** The people at a certain time would be like, "Listen, I can't be...." I appreciate you trying to get something in this area, it's always seemed to be dead. So I appreciate you trying to....

**MAKKI** Oh, yeah, okay.

**HAKALA** ...but they already said it all. So.

**COPPOLA** All right. Mr. Testa.

**TESTA** Yeah. I think I can support this. I was surprised how it's currently zoned. It looks like a little strip mall.

**MAKKI** Yeah, right?

**TESTA** I get off the highway right there every day. Well, it's under construction right now, M-14, but I usually drive by when it's not under construction. Yeah, it probably should be a zoning change, but I don't think I'm gonna hold that against you or make you wait longer to have your owner change it, but maybe pass that word to him to... for the benefit of the other tenants, moving forward to go for the zoning change. But welcome to Livonia. Can't remember when you moved here, but hopefully you keep your business here.

**MAKKI** January 2022. Thank you so much.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Yeah, yeah. Very creative use of that property, [inaudible] light manufacturing zoning convert to other businesses, classic cars, gyms, things like that. So now the hair salon, so that's excellent. Yeah, I agree with Chairman Coppola's statement. It probably should be rezoned, but that's another conversation. I will approve the variance, though.

**COPPOLA** Secretary Klisz.

**KLISZ** I agree. Welcome to Livonia.

**MAKKI** Thank you, guys.

**KLISZ** We've been approving these different uses for manufacturing for years and years and years, and it'll probably just keep continuing because there's less manufacturing, but always good to have a business go into a vacant spot. So [inaudible].

**MAKKI** Thank you so much.

**COPPOLA** I'm too in support for all the reasons everybody stated. So I'm going to open the floor for a motion.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** Okay. Resolved that the variance sought in Appeal Case No. 2025-09-31, filed by Olla...

**MAKKI** Olla.

**BARINGHAUS** Olla. Thank you. Olla Makki, be granted for the following reasons and following findings of fact: Uniqueness requirement is met due to the facility's location. Next to I-96, which is convenient for customers. Denial of the variance would have severe consequences for her... for the Petitioner, due to its impact on business and the additional drive time for her customers. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance, due to no protests from local businesses or residents itself, property itself is classified as M-1, Light Manufacturing, 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 basically built or remodeled as presented this evening.

**HAKALA** Support.

**COPPOLA** I'd have a motion by Vice Chair Baringhaus, supported by Ms. Hakala. Any other discussion? So we have one condition, and that'd just be to be built out as presented.

**BARINGHAUS** That's fine.

**COPPOLA** Okay.

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

**RESOLVED: APPEAL CASE NO. 2025-09-31, 37453 Schoolcraft:** an appeal was made to the Zoning Board of Appeals by 3CS Schoolcraft, LLC, on behalf of Lessee Olla Makki, seeking to operate a commercial personal services business in an industrial zoned district, which is prohibited.

This Tech and Manufacturing property is located on the south side of Schoolcraft Road (37453), between Waco and Newburgh Roads, Lot. No. 117-01-0029-003, M-1, Light Manufacturing, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.16 – Prohibited Uses (a),

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

1. The uniqueness requirement is met due to the facility's location next to I-96, which is convenient for customers,
2. Denial of the variance would have severe consequences for the Petitioner due to its

- impact on business and the additional drive time for her customers,
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to no protest from local businesses or residents,
  4. The property itself is classified as Tech and Manufacturing under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The business will be built out as presented.

**ROLL CALL VOTE**

AYES: Baringhaus, Hakala, Klisz, Meagher, Rotondo, Testa, Coppola

NAYS: None

ABSENT: None

PASS/FAIL/TABLED: PASS: PASS

<b>KLISZ</b>	Ms. Hakala.
<b>HAKALA</b>	Aye.
<b>KLISZ</b>	Mr. Meagher.
<b>MEAGHER</b>	Aye.
<b>KLISZ</b>	Mr. Rotondo.
<b>ROTONDO</b>	Aye.
<b>KLISZ</b>	Mr. Testa.
<b>TESTA</b>	Aye.
<b>KLISZ</b>	Secretary Klisz votes aye. Vice Chairman Baringhaus.
<b>BARINGHAUS</b>	Aye.
<b>KLISZ</b>	Chairman Coppola.
<b>COPPOLA</b>	Aye.
<b>KLISZ</b>	Seven zero.
<b>COPPOLA</b>	Variance passes. Good luck.
<b>MAKKI</b>	Thank you so much.
<b>BARINGHAUS</b>	Good luck to you.

**MAKKI** You're all welcome. Yeah, I should have just gone first.

**COPPOLA** [Inaudible] a lot, you probably should have.

**STIERNA** [Inaudible] break time.

[Inaudible crosstalk]

**MAKKI** Thank you all so much. [Inaudible] lease agreement. Do I need anything else?

**STIERNA** You can go ahead and file your zoning compliance with our office tomorrow.

**MAKKI** I'll see you tomorrow morning, then. Thank you so much.

**ADMINISTRATIVE TASKS**

**COPPOLA** We have minutes.

**KLISZ** We have three [inaudible] minutes.

**COPPOLA** So I know that we have to show in one--

**BARINGHAUS** Push. Push.

**COPPOLA** Resolved? Locked in? We're all locked in.

**BARINGHAUS** We're all locked in.

**HAKALA** That's what it looks like.

**STIERNA** There you go.

**BARINGHAUS** Want to go through the cases again?

**MEAGHER** The last case [inaudible].

[Inaudible crosstalk]

**COPPOLA** Unless it closed at 10:30.

**MAKKI** Thank you guys. Have a good night.

**COPPOLA** Everybody else okay? So we're gonna do one at a time, start with the minutes for the meeting on May 20 of 2025, do I have a motion?

**KLISZ** Motion to approve the minutes of May 20, 2025.

**ROTONDO** Support.

**COPPOLA** I have a motion by Secretary Klisz, support by Mr. Rotondo, to approve the minutes for May 20, 2025. All in favor?

The Board voted unanimously to approve the minutes from the special meeting of May 20, 2025.

**COPPOLA** Any opposed? Okay, passes unanimously. I've got minutes for June 3, 2025. Do I have a motion?

**ROTONDO** Motion to approve the minutes of June 3, 2025.

**MEAGHER** Support.

**COPPOLA** I have a motion by Mr. Rotondo, supported by Mr. Meagher, to approve June 3, 2025 minutes. All in favor?

The Board voted unanimously to approve the minutes of the meeting of June 3, 2025.

**COPPOLA** Passes unanimously. I've got minutes for July 8 of 2025, do I have a motion?

**BARINGHAUS** Motion to approve.

**KLISZ** Support.

**COPPOLA** I have a motion by Vice Chair Baringhaus, supported by Secretary Klisz, support for the July 8, 2025 minutes, all in favor?

The Board voted unanimously to approved the minutes of the meeting of July 8, 2025.

**COPPOLA** Passes unanimously. All right, anything else we need to cover today? Does not look like it, so I will see you all.

**BARINGHAUS** Motion to adjourn?

**COPPOLA** Yeah, I think I thought after 8:30 you don't need to do that anymore.

**KLISZ** A motion to adjourn.

**COPPOLA** I have a motion to adjourn by Secretary Klisz.

**HAKALA** Support.

**COPPOLA** I have support by Ms. Hakala, all in favor?

The Board voted unanimously to adjourn the meeting.

**COPPOLA** We are adjourned at 10:32.

There being no further business to come before the Board, the meeting was adjourned at 10:32 p.m.

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Gregory G. Coppola, Chairman

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Timothy Klisz, Secretary