

ZONING BOARD OF APPEALS

CITY OF LIVONIA

MINUTES OF REGULAR MEETING HELD TUESDAY, APRIL 20, 2021

Due to COVID-19 A Regular Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, April 20, 2021.

MEMBERS PRESENT: Gregory G. Coppola, Chairman
James M. Baringhaus, Vice Chairman
Timothy Klisz, Secretary
Michael A. Testa
Joel Turbiak

MEMBERS ABSENT: Lisa Fraske
Christopher N. Boloven

OTHERS PRESENT: Leo Neville, Legal Department
Bob Stroble, Inspection Department
Valerie Bertani, CEO 9489

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each petitioner may ask to be heard by a full seven (7) member Board. Five members were present this evening. The chairman asked if anyone wished to be heard by a full Board and no one wished to do so. The Vice Chairman then read the Agenda and Legal Notice to each appeal, and each petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners and City Departments. There were twelve (12) people in the audience.

(7:03)

Table of Contents

Appeal Case #	Pages
2021-04-14 BW Powdered Metals Corp	1- 15
2021-04-16 Russell and Julie Rathgeber	16- 27
2021-02-05T Botsford General Hospital	28- 60

APPEAL CASE NO. 2021-04-14: An appeal has been made to the Zoning Board of Appeals by BW-Powdered Metals Corp., 32059 Schoolcraft, Livonia, MI 48150, seeking to erect an addition on a building upon a double street frontage lot, resulting in deficient rear yard setback.

Rear Yard Setback:

Required: 50.0 feet
Proposed: 10.6 feet
Deficient: 39.4 feet

The property is located on the south side of Schoolcraft (32059), between Hubbard and Merriman, Lot. No. 105-99-0016-002, M-2 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 16.05(b), "Yard and setback requirements; Parcels Less Than Ten Acres in Area."

Coppola: Alright, thank you. Anything to add Mr. Stroble?

Stroble: Not at this time, Mr. Chair.

Coppola: Any questions for the inspection department? Alright, seeing none, if the petitioner could step forward and I need your name and address first for the record.

Oprisiu: Hi, my name's Dave Oprisiu and my address is 13794 Edenderry, South Lyon, Michigan and I'm employed at BorgWarner, manufacturing engineer and--

Coppola: Alright, thank you. I don't want to cheat you here, Oprisiu is what you said?

Oprisiu: Correct.

Coppola: Okay. I--I wrote down phonetically so if--I won't destroy it, I apologize. Mr. Oprisiu why don't you tell us a little bit about the project that you're requesting the variance for. I'd like to understand what it's being used for, specifically, what--you know--what's driven that requirement and then practical difficulty or hardship that you believe BorgWarner has that would support approval of the variance.

Oprisiu: Well the--next year we have an uplift in volume in our manufacturing. We manufacture powdered metal gears there for our sister plant for transfer cases and that will hold that same volume for the next five years. By adding additional space, it will give us material--inventory material control. Better control of it. To be safer on the floor, it would just make our flow pattern much easier within the plant and for safety of our employees.

Coppola: How long have you guys been in the building?

Oprisiu: I've been there 40 years--43 years.

Coppola: 43 years? Have you added anything onto the building since you've been there?

Oprisiu: Yes, we have. Twice.

Coppola: Okay. The--the proposed addition puts it awfully close to the road. In your--in your petition you suggested that some of the buildings to the South were as close. Could you give me a feel for what specifically--which buildings you were talking about that you felt were similar--would be similar situated as this as this addition would be?

Oprisiu: There are two of them. One is down by--it's MSC, down by Merriman Road. Their side is--the side of the building is pretty close to the road like what we're petitioning for. And across the street from them would be Ingersoll Rand. That's down by--we're talking Industrial Drive--

Coppola: Mmhmm.

Oprisiu: --Yeah. Okay and Merriman. And the other one would be around Industrial Drive that--that turn. There's an office building complex--

Coppola: Mmhmm.

Oprisiu: --that's also on the West side is also close to the road.

Coppola: Okay. Have you thought about any alternative type designs that would minimize encroachments such as going higher or other additions to other parts of the building that might meet your needs without the level of encroachment?

Oprisiu: Without taking away the parking lot, which we need for the employees, the only thing we could do is make that--instead of going 40 foot make it 30 foot in--in the rear.

Coppola: Mmhmm.

Oprisiu: The South side. We can't go to the East because we're ten foot from the property line already or 15 or whatever that is.

Coppola: Right.

Oprisiu: And then front there's nothing there either.

Coppola: Okay. What would you do if you did not get this? What would you have to do or do instead if you did not get this variance?

Oprisiu: We'd have to be creative within the building. Other than that possible rent space for the shipping department area somewhere else.

Coppola: So, you'd have to move stuff--

Oprisiu: It would be off sight so--

Coppola: --You'd have to truck it and move it and--

Oprisiu: Yes.

Coppola: --handle it several times?

Oprisiu: Yes.

Coppola: This is all--this is all powdered metal coated product or painted product?

Oprisiu: No, we don't coat or paint there. We actually take powdered metal--it's powder--

Coppola: Ah, okay.

Oprisiu: --And it's like sugar. We put it in a dye-cavity and compress it.

Coppola: Okay.

Oprisiu: And then sinter it to a hardened steel gear. And some of the gears are six pounds a piece that go into transfer cases for Ford pickup trucks. 150s, 250s, 350s.

Coppola: Okay. Thank you. Questions for the petitioner?

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: Can you confirm the address on the location? Is it 3200 Industrial?

Oprisiu: I think--that's the rear address. The shipping address.

Baringhaus: That's the shipping address.

Oprisiu: The address on Schoolcraft is 32059 Schoolcraft.

Baringhaus: Gotcha. Okay. Very good. Thank you. The building you're proposing would be 4,528 feet, is that--

Oprisiu: 40 by 128.

Baringhaus: Okay. So, roughly about 5,100 square feet?

Oprisiu: Correct.

Baringhaus: Okay. Tell me a little more about--I guess your production flow. You mentioned--how does--where does--where does your process start? Where does the finished product come out?

Oprisiu: The--well--the two dock doors, the material comes in and in the center of the building we have a storage for the powder that we get from our suppliers that come in 5,000 pound packs. We do have mezzanines they're stacked three--three high.

Coppola: Mmhmm.

Oprisiu: From there it goes to our compact compresses. They press the part and it goes into a storage bin and we have those stacked throughout the plant. Then the next process is a sintering. We have ten sintering furnaces that skid a part then transfer to a furnace to be loaded, sintered, and then packed into plastic dunnage or cardboard dunnage. At that point, we would take that material and put it in that warehouse and keep our fifteen to 30 day inventory control. We do send some parts out for heat treating. They got to heat treat, they come back to our plant for inspection, and then sent out to our customer.

Baringhaus: Okay.

Oprisiu: So, that warehouse would handle the incoming from heat treat, the secondary operations off site, and it would also house our non-value add to the product that's ready to ship right out of the furnace.

Baringhaus: And then the proposed structure, you want to use that for structure for powdered metal materials or for finished product?

Oprisiu: Correct. That's correct. For finished material.

Baringhaus: Finished material. Okay, thank you.

Coppola: What other questions do we have?

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Have you--I know he was asked already but, in the past, have you had to explore off site options? Renting additional space?

Oprisiu: We have occasionally, where we use the--DNS to hold some material at their warehouse.

Testa: Okay, thank you. Yeah, I was assuming this addition was for incoming material not final product. I--I understand what you are trying to do. I'm just wishing there was another way to accomplish it. I did drive through this area and you're right, the--the two buildings that you

mentioned are closer. I don't believe they're that close as you're proposing so, how difficult or how much of a--a problem would it be to reduce to 30 feet instead of 40 feet, as you mentioned? What--what would that impact be to you?

Oprisiu: Just additional space, that's all. I mean, 30 foot would work. Any additional space that we put there would definitely help but by having 40 foot then we can have a center isle where the hi-los can go on either side.

Testa: Okay, that--that's what I getting at. Was there any egress for that type of issue? Okay. Thank you.

Coppola: Mr. Oprisiu, when I was looking at your plan, the one thing I didn't see was any type of landscaping. There is a tree that probably would have to come down.

Oprisiu: Correct.

Coppola: Which is the only landscaping you have on--on the South side there. What is--are there plans for replacement landscaping?

Oprisiu: We can put landscaping up--up there. You mean Evergreens or something greenery?

Coppola: Well, right now there's a tree there and a relatively mature tree. It looks like it's gonna have to come down--

Oprisiu: Yes.

Coppola: --for the extension. So, at a minimum--you know--ideally will that--well, what I'd like to see as a tradeoff is allowing some level of--of variance is to put some landscaping. Even if it's--you know--replacing putting a couple trees or something--

Oprisiu: We could do--

Coppola: --to replace the tree and then maybe doing something South of the--of the parking lot too. It would just make things just a little nicer.

Oprisiu: We could do that.

Coppola: Okay.

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: How many employees are at your facility?

Oprisiu: We have 140. That's three shifts. We're a three-shift operation.

Baringhaus: And you're saying with your--in terms of parking, you have no room to, like, relocate or reposition this proposed structure with some of your existing parking lot area? Maybe moving off to the side or--

Oprisiu: The way that--that would be very difficult because we have nitrogen-hydrogen tanks on the West side of the building. Those have to be filled with nitrogen trucks from Messer. They would not be able to get to it if we pushed the building out to the West. That would make it difficult.

Baringhaus: Then again, how are you currently storing finished inventory at this facility?

Oprisiu: Pardon. I didn't hear you.

Baringhaus: How are you currently storing finished product? You said you carry fifteen to 30 day supply of--

Oprisiu: Yes.

Baringhaus: --finished material. Where are you currently storing those?

Oprisiu: In the building now.

Baringhaus: What portion roughly?

Oprisiu: It would be back by the shipping docks.

Baringhaus: Okay.

Oprisiu: We have an area of space there and along the dock wall on the West side.

Baringhaus: Mmhmm.

Oprisiu: Yes.

Baringhaus: Okay.

Oprisiu: Those two locations.

Baringhaus: Okay, thank you.

Oprisiu: Yep.

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Mr. Oprisiu--

Oprisiu: Yes.

Turbiak: So, if you were to extend the building to the South as you've proposed, I see in the--in the image that I'm looking at that there's a like a 52 foot truck in the dock well right now. Would--how would you receive or pick up drop off--how would you build the trucks? Would you just move the well further to the South as well?

Oprisiu: No, no, no. The well stays exactly where it is. The addition that we're planning on putting would--the traffic for the shipping--there would be an isle within the existing building that travels into the new addition.

Turbiak: I see. Okay. That's all Mr. Chair.

Coppola: Okay, thank you. Anything else? Alright, seeing not. Mr. Oprisiu we're gonna go ahead and see if there's anybody in the audience that would like to speak for or against this--you would? Okay, if you could have a seat just for a minute while--

Oprisiu: Sure. Thank you.

Coppola: --while the audience has some participation. If you would--name and address first, please.

Rydzewski: My name is Darrel Rydzewski. I reside at 3232 Edgewood Park Court in Commerce Township. Zip code 48382.

Coppola: Alright, Mr. Rydzewski--

Rydzewski: Before I begin, I'd like to thank the Chair for allowing me to address the Board here this evening. I occupy a building--I own the building located at 32027 Industrial Road. I'm on the South side of Industrial Road. My building faces the rear of the petitioner's building. I moved--I--I guess I should point out, I'm also an owner in the business that occupies that building and I moved the operation there in December of 2013. A significant factor in my moving my operation there was the absolute beauty of this industrial complex. It was--it's the Livonia Executive Park and it just conveys this image of professional, successful organizations. Because of the 543 ordinance and its backset requirements, front set requirements, we have this green belt as you all know that goes along Industrial Road as it travels through the--through the park. It is beautifully landscaped. Lots of trees. Lots of well-maintained landscaping and it is my opinion that by allowing this very significant variance, we are going to impact the aesthetics of--of the park. For me, it's an important part of my marketing strategy--you know--I need to be perceived as this successful, professional organization as all business do, I'm sure. I exploit it to the nth degree but it's the beauty of this park that allows me to do that to a large extent. My concern, not only that this variance might be allowed and I'm suddenly--I've suddenly got this building right in my front yard--I mean, he's gonna be pretty close to the road. It--it's gonna look like a mistake. It just disrupts the aesthetics, I believe, and I'm concerned that it sets a precedent. You

know, I know we've talked about other buildings in the complex that are close to the road and I agree some of them are but those at the front of the park, those are actually side set requirements and I think what we will find is that those buildings are within the side set requirements established in 543. I'm unaware of any other building whose back--who--whose backset is--would be that close to the road. No one would come close to that. So, it's my concern that--you know--it--it's just too aggressive of a variance. I have a secondary concern and it kind of ties into this and it has to do with truck traffic. 543 makes numerous commentary regarding parking--the availability of it for employees and customers. It talks to parking in the street but it never really addresses, that I could find, truck traffic coming to the facility. On any given day, we currently have trucks staged, waiting to get into the petitioner's facility. I've had customers miss my building because trucks are blocking my signage. I've had trucks--you know--driving onto my front lawn as they back into the petitioner's facility to load or unload, resulting in--in tire rut marks in my lawn, the occasional--you know--broken sprinkler head. When they deliver their gases--their nitrogen, it's not uncommon to have that truck pull into my driveway, block my staff members and their parking spots because we park on the side of the building. It's just an inconvenience and I roll with it trying to be a good neighbor, but I have an additional concern that if this capacity increases we can only expect to see--you know--even more truck traffic and that's more of an issue that I'm gonna have to deal with. So, I guess in closing--you know--I would--I would respectfully ask that the Board reaffirm their initial finding in this matter and--and deny due to failure to meet the--the back yard--you know--back set requirements. Thank you.

Coppola: Alright, Mr. R. I have several questions for you. I appreciate it, very well organized objection there. What type of business are you in?

Rydzewski: I am the head of the calibration laboratory. So, we calibrate sophistic pieces of instrumentation and we provide training to our customer base.

Coppola: Okay. You've been there for how long again?

Rydzewski: Since December of 2013.

Coppola: Okay and so, they were there at the time that you bought the building. Did you at that time know any of the issues that you--that you have now with like truck traffic and the blocking of--blocking of entry ways and exit ways and--

Rydzewski: I did not as I made the decision to--to move into the facility. But again, to me it was--I'm not suggesting that--you know--the trucks are on my lawn every single day or that --

Coppola: Things happen.

Rydzewski: --it happens every day-- it happens. But no, that wasn't a part of my consideration when I was moving into the building.

Coppola: How far back is your building set back from--from the roadway? Do you know?

Rydzewski: My front set is 45 feet.

Coppola: From the roadway?

Rydzewski: From the roadway.

Coppola: Okay. In the aspect of your comment on truck traffic, I was gonna ask that--I forgot to ask that question when I looked at--you know--two bays and as big as the property is that's--I would assume that they probably have some issues with--with trucks coming in and out. That makes a little bit of a challenge but would you think that if--if they have to start moving inventory off-site as they increase their output, that that would increase the truck traffic?

Rydzewski: I--I don't--I don't know. I--I would imagine there would be more traffic delivering it somewhere to hold or stage it.

Coppola: Because I might get--and I didn't specifically ask the question, I will later. My--my assumption would be a truck would come in, it would take the inventory, it would move it to a warehouse. When it's time to ship, a truck would come back, drop the inventory off, cause it's a ship from location, they have to ship from that location. So, the truck would have to come back, unload it and then a truck would come to pick it up. So, you--you've tripled your truck traffic in a sense by having an off-site warehouse. If we were to ask the petitioner to compromise, he has suggested that they--they would be willing to do ten less feet of encroachment, which would put their building at 35 feet from the road--45 feet from the roadway. Their proposal right now puts the building 35 feet from the roadway.

Rydzewski: Right.

Coppola: And they--and we ask them to put in landscaping--come in landscaping plan to be approved with landscaping and not only for that building but for that parking lot. Would you find that more acceptable?

Rydzewski: Well, I--I would be more acceptable to something not so aggressive. I mean, currently, if my measurements are correct, I believe they are currently 75 feet off the road. So, they're only required--you know--by the ordinance to be 50 feet off of the road and I believe they are 75 feet off of the road. So, if they were looking for a ten foot variance on the back yard--back set requirement where it would be 40 feet off the road, I would be agreeable to that but beyond that, it starts to create an issue--and again--you know--one of my big concerns is just the aesthetics of it all. I don't wanna be-- I don't want to feel like my office is sitting in the backyard of their plant.

Coppola: Mmhmm. So, the plans they presented with the 40-foot addition would put the South corner or section of that addition 35 feet from the roadway. So, if we reduced it--asked them to reduce it to a 30-foot addition, that would put them 45 feet from the roadway, which is the same distance as--as your building.

Rydzewski: Yeah, it's 45--I would have no issue with 45 feet off the roadway.

Coppola: Okay. Any other questions for the audience member? Thank you very much. I really do appreciate you coming in--

Rydzewski: Alright.

Coppola: --and discussing. And thank you for choosing Livonia for your business.

Rydzewski: You got it. Thank you for the opportunity.

Coppola: Alright, do we have any correspondence?

Klisz: We have no letters.

Coppola: Okay. Mr. Oprisiu, you have an opportunity to make a final statement if you'd like. If you'd like to respond to--to the audience member. Actually, I'd like to ask you some questions, why don't you come on down anyway.

Oprisiu: Well, we do have truck traffic and that--by having that additional space, would reduce the truck traffic.

Coppola: Are you using an outside warehouse right now?

Oprisiu: No.

Coppola: No. So, how would the addition reduce the truck traffic now?

Oprisiu: Right now?

Coppola: Yeah.

Oprisiu: It--right now it would be the same but next year it will increase.

Coppola: If you have to have an outside warehouse or just because--

Oprisiu: Well, you would have to have an outside warehouse or some--some way of having inventory off-site.

Coppola: Okay.

Oprisiu: But the 30-foot would work for us. I mean, it's not the best in the world but that would give us that additional space.

Coppola: Go up.

Oprisiu: Go up. Yeah, we tried that. We thought about that. How do we get the furnaces up in the air?

Coppola: So, my thinking is--from my perspective is two things. If you're willing to compromise to 30 feet and provide some landscaping, that would be something that--that I'd be open to. I think that we'd like to see--at least from my perspective, I'd like to see some--some--I'd like to see the revised plan and I--I'm sorry to take your time--I personally would like to see a revised plan and with some landscaping.

Oprisiu: Sure.

Coppola: So that we have--so we know what exactly we're approving. And I think that would also make your neighbors probably a little more comfortable with your plan. So, that's what I'm gonna propose when I get my opportunity to speak. But--is there anything else that you wanted to add? I apologize I keep cutting you off.

Oprisiu: That should be about it.

Coppola: Okay. Thank you very much,

Oprisiu: Thank you very much.

Coppola: Alright, we're gonna close the public portion of this case and start the Board's comments with Mr. Testa.

Testa: Thank you. So, I would be in support of tabling this and bring plans back to show modifying from 40 foot to 30 foot. I think some of my questions were going along those lines. I understand the--the impact to the company to do it that way, but I think for this to get approved and fit in better with--with the surrounding area, it's the better route to go, so, I'd like to see that. Alright, I'm done. Thank you.

Coppola: Mr. Vice Chair.

Baringhaus: Thank you. I agree. I'd like to see the--the proposal for this variance tabled. I'd like to have a plan come back as was suggested, reducing the facility from 30--40 feet to 30 feet which would then increase the distance from the set back to 45 feet. So, again, I'd support the tabling based on those conditions.

Coppola: Okay. Mr. Secretary.

Klisz: I agree with my colleagues. I think that we've kind of found a good compromise here. Especially with the neighbor giving his input in this which made a big difference to me in--in thinking about this matter. Thinking originally, no one was objecting, it's an industrial area, who cares. Well, obviously they do care and--and I think that it makes sense. If--if the new building is 45 feet from the road and that's the equivalent of the neighbor's distance to the road then that's certainly consistent and that's something I like. So, I'll look forward to seeing the revised plan.

Coppola: Alright, thank you. Mr. Turbiak.

Turbiak: Yes, thank you Mr. Chair. I can be in support of tabling for the same reasons that were mentioned by my fellow Board members. Nothing to add.

Coppola: Alright. I'll too support--support the tabling. I think generally this--this expansion makes a lot of sense for the community in the sense it I think it will reduce truck--truck traffic, when you've got trucks moving back and forth from warehouse that triples the truck--truck traffic. I think with the compromise going to 30 feet with some landscaping both in front of--on the South side of the proposed extension as well as in the parking lot, that will also aesthetically make the area better. So, I will go ahead and open up the floor for a motion.

Upon motion by: Baringhaus. Supported by Klisz, it was:

RESOLVED: APPEAL CASE NO. 2021-04-14: An appeal has been made to the Zoning Board of Appeals by BW-Powdered Metals Corp., 32059 Schoolcraft, Livonia, MI 48150, seeking to erect an addition on a building upon a double street frontage lot, resulting in deficient rear yard setback.

Rear Yard Setback:

Required: 50.0 feet

Proposed: 10.6 feet

Deficient: 39.4 feet

The property is located on the south side of Schoolcraft (32059), between Hubbard and Merriman, Lot. No. 105-99-0016-002, M-2 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 16.05(b), "Yard and setback requirements; Parcels Less Than Ten Acres in Area," **be tabled in order for the petitioner to submit an updated plan reducing the size of the proposed addition from 40 feet to 30 feet and presenting a form of landscaping.**

ROLL CALL VOTE:

AYES: Turbiak, Testa, Klisz, Baringhaus, Coppola

NAYS:

ABSENT: Fraske, Boloven

Passes five-zero.

Coppola: Mr. Oprisiu, so, what we've done is we've tabled this and this will give you an opportunity to revise the drawings to show--if you choose to do so. Again, you don't have to take our advice, but if you choose to do so, you can come back with a revised plan with a reduced--reduced size of the extension and with some--with some landscaping.

Oprisiu: Correct.

Coppola: And with that I think, what you've heard from the Board is we'd be probably--we'd probably approve that pretty easily.

Oprisiu: So, that be approved--

Coppola: Can you--if you're gonna speak, I do have to ask you to come up, I apologize. I should have asked you to do that.

Oprisiu: So, would that be approved next month?

Coppola: Well, what you'd have to do is get your revised drawings, get them over to the building inspection department. They'll get you back on to another Agenda. And the next open one--if you're quick enough--the next open one will be on the 25th of May. You'd have to get that in by the 26th of April. So, you'd have to move pretty quick.

Oprisiu: Yes.

Coppola: But we could get you on the Agenda for the 25th and if you reflect what's been--what's been suggested, I think that would be a pretty quick process. But you need--do need to come back to another meeting.

Oprisiu: Yep. I think that's doable.

Coppola: Perfect.

Oprisiu: Very good. Thank you.

Coppola: Look forward to seeing you in a month.

Oprisiu: Yep. Thanks.

Coppola: Thank you.

APPEAL CASE NO. 2021-04-16: An appeal has been made to the Zoning Board of Appeals by Russell and Julie Rathgeber, 31530 Myrna, Livonia, MI 48154, seeking to erect an accessory building, resulting in deficient side yard setback and erecting the building within the side yard, which is not allowed.

Side Yard Setback:

Required: 5 feet

Proposed: 2 feet

Deficient: 3 feet

The property is located on the north side of Myrna (31530), between Merriman and Auburndale, Lot. No. 060-01-0598-000, RUF-A Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 5.09, "Yards for Accessory Uses," and Section 18.24, "Residential Accessory Building."

C: Okay, thank you. Anything to add Mr. Stroble?

Stroble: Not at this time, Mr. Chair.

C: Any questions for the inspection department? Alright, seeing none, if the petitioner could step forward please to--to the podium over here and I'll need the name and address for each speaker.

R. Rathgeber: Hello, my name is Russell Rathgeber.

J. Rathgeber: And I'm Julie Rathgeber.

R. Rathgeber: 31530 Myrna Street.

Coppola: Okay, thank you. Mr. Rathgeber, why don't you, if you could, just real quick, give us a summary of what you're proposing here, the purpose of it, and then if you could, while you're doing that, just describe to us, from your perspective, the practical difficulty or hardship that you have that would suggest that a variance be approved.

R. Rathgeber: Yeah, so, we moved--I moved into the house in 77. Moved out. My dad died about a year ago and so I bought the estate--bought the house from him. Bringing the stuff from my house and the stuff that he already had at the house, I ended up with a whole bunch of stuff I couldn't store. I couldn't put into the garage or it's in the garage but the garage is very full. I have a list here, I could go through but I'm basically looking for place to put--you know--the snowblower and the lawn mowers and the--and the ladders and things like that so that I have a place to store all these items.

Coppola: Okay, what kind of stuff you talking about?

R. Rathgeber: Okay, if I can find my list: bicycles, tractors, push mower, power washer, weed whackers, leaf blowers, garden hoses, generators, hand trucks, snow blower, snow shovels,

gardening equipment, cycle and leaf rake, ladders, gas grill during the winter, patio furniture and things like that.

Coppola: That's a lot of stuff.

R. Rathgeber: Right. And it's all more or less either sitting on the patio or jammed in the garage right now.

Coppola: Right. And how big a garage do you have?

R. Rathgeber: It's a two wide with an area at the back but I got one car in there right now.

Coppola: Okay. Have you thought about any alternative locations that wouldn't require a variance?

R. Rathgeber: One of the biggest problems we have is that we have--it's a two acre lot with a stream running through the backyard and that's flood plain and if you go down Merriman all the woods that are on the West side of the street there are flood plain for that--that river.

Coppola: Mmhmm.

R. Rathgeber: So, our house slants down into the river, down into the flood plain. So, basically, there's no room behind the house to put any other buildings. Immediately you come out onto the patio and from there it slants down to the river. So, there's a little room on the right hand side or the East side of the building but it--there's just not enough room between where the garage is and--and--you know--and it's close to the neighbor's house on that side too. So, way back when, we had a kid's playhouse down on this side of the--of the house and we did use it for storage but that was small and it since has gone away.

Coppola: Okay, so on the East side behind the garage, that's not--that's directly behind the garage, kind of the same distance behind the building that you would--

R. Rathgeber: It would be more or less the same thing, yeah.

Coppola: So, it would--it would fit there, you're saying?

R. Rathgeber: Not really--

Coppola: Not--not next to the house, but behind the house? So, behind where the--where the driveway is?

R. Rathgeber: You know if--

J. Rathgeber: It would be the same issue.

R. Rathgeber: It would be the same issue and--

J. Rathgeber: Because it slopes down.

R. Rathgeber: --it would be, you'd build out and you'd have to build a whole foundation for it, whereas where we want to put it right now, it'll have to have a little bit of foundation sticking out of the hill a little bit but not much.

Coppola: So, there's a greater slope?

R. Rathgeber: On the one side of the house, on the West side of the house there is a greater slope. It actually is less slope on the right side. But I think aesthetically it would be better on the West side of the house. It--it's more trees, it--you know--

J. Rathgeber: A little more hidden.

R. Rathgeber:--a little more hidden.

Coppola: And you couldn't move it just three feet to the East to--to do away with a variance requirement?

R. Rathgeber: Well, I could but it--it--that's where we go to the backyard and I'm--

J. Rathgeber: That's how we get the mowers.

R. Rathgeber: --Yeah, I'm okay with that but I just--I want to keep that room as big as I can so I can get--you know--mowers and things through there. So, if we needed to move it over a little bit, I--I don't have much of a problem with that. When I initially laid this out, I didn't know--I don't remember who told me--but what the--how much area I needed on the side of the house and then I realized that I'm in different zoning so that kind of changed things a little bit but--you know--that's how much area is there.

Coppola: Have you spoken to the neighbor about your proposed addition?

R. Rathgeber: Absolutely. And he's--he's totally okay with it. He's also got a shed there. It works out that--and he did put a--whoever did it, I'm not sure if he did it or not--but it's--it is behind the house but he's got a huge foundation out underneath the shed that sticks out of the back of the hill. But, I've talked to him and he doesn't have any problem with it.

Coppola: I'm sorry, where's his shed? Because I can't see it in the overhead.

J. Rathgeber: His shed?

R. Rathgeber: He's got a driveway that's basically right there and there's a fence that he has there and just back down the driveway. So, if you look up his driveway, it would be straight back down his driveway.

Coppola: Okay. So, is there a fence then that runs along where you're proposing it?

R. Rathgeber: He put up a fence that he--so he owns the fence but yes.

Coppola: So, you'd only have two feet between the one side of your shed and the fence.

R. Rathgeber: I think that's correct. Yes.

Coppola: And how would you maintain that space?

R. Rathgeber: Weed whacker?

Coppola: Two feet?

R. Rathgeber: Yes. I mean, that's why I'm okay with moving it, but I still--you know--I gotta--the distance between the house and the shed, I wanna maximize it.

Coppola: Okay. Questions for the petitioner?

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: It seems as you go further down your street, it seems like is this area where your home is more on a narrower flood plain but the flood plain kind of widens out as you go towards Hubbard?

R. Rathgeber: In which--which direction? To the West?

Baringhaus: Yeah, towards Hubbard.

R. Rathgeber: The stream, it meanders back and forth. The neighbor immediately to the West of us, he doesn't have much of a backyard. It immediately drops off into it and then further up the street I--you know--as a kid I used to walk up there--they do have a couple spots that have a--a larger area and I knew the people up two or three houses from us, they have a walkout basement and they had potential flooding. They never did have a flooding problem but--so--you know--they had a walkout area and one people have a basketball court back there, which is kind of interesting but--

Baringhaus: In terms of the structure of the proposed building, will--tell me about the materials, the roofing materials--

R. Rathgeber: We're gonna have Tough Shed build it. That's initially what got me turned on to it. I'm like, hey that's pretty cool. And it's gonna be a full structured building with two by fours and--you know--it's gonna have a tin roof. I wanted the--the tin roof rather than the asbestos or the fiberglass shingles. I figured it would--it would last longer. It's gonna have a side door for entrance on the house side of the shed. I'm looking for a quality piece and so the shed stuff, the--the Tough Sheds looked like a nice piece so--

Baringhaus: And then the proposed height is roughly about twelve feet?

R. Rathgeber: That's correct.

Baringhaus: Single story? Single story?

R. Rathgeber: Single story. There's gonna be a shelf up there.

Baringhaus: Okay.

R. Rathgeber: But it's not a--you know--a walking area.

Baringhaus: Okay. You don't plan on any kind of paved driveway or path to it?

R. Rathgeber: No.

Baringhaus: It'll just be grass?

R. Rathgeber: It does have a little--a ramp to it because it's on the cement and then it's raised by four inches or whatever. So, it will have a little ramp up to it but no--no official walk ways or anything, no.

Baringhaus: Okay. Great. Electricity?

R. Rathgeber: Wasn't planning on it.

Baringhaus: Okay. Just basically a structure.

R. Rathgeber: Yeah. Just for storage, yeah.

Baringhaus: Great. Thank you.

R. Rathgeber: Mmhmm.

Coppola: Any other questions?

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Under your--thanks for the drawing. This--these plans are very helpful, I like the isometric view that shows the slopes of the property, so, I can completely understand your location proposal.

R. Rathgeber: Mmhmm.

Testa: I--I drove by this. I can't obviously see so well to the back but the--the isometric view in your drawing is helpful for that.

R. Rathgeber: We've had a lot of people comment on that. You get in the back yard and you go wow. You don't see it from the front yard.

Testa: I--there is not a dimension showing kind of the gap between your proposed shed and the house? Do you have any idea what that would be?

R. Rathgeber: I thought that was eighteen feet.

Testa: Okay. I--I'm sorry it is there. It's in the bottom view.

R. Rathgeber: Yep.

Testa: But, there's two trees--well, multiple trees in front of that and they look like they're closer together than that eighteen feet so I guess I wanted to question again, why you couldn't move the shed a little closer to the house? I--I guess my rationale is if you can currently get around those trees which has a smaller gap--

R. Rathgeber: I--I could. I certainly could. Again, it was all a matter of maximizing the space between the house so--you know--just so I could get through there with tractors and things. You know--and another foot or two would not be an issue.

Testa: Could you get to the five feet?

R. Rathgeber: Say again.

Testa: You'd have to move it three feet to get to the five feet.

R. Rathgeber: Could we do three feet? I mean, like I said, it pushes it behind the tree a little bit too, which, I mean, it's not a problem.

Testa: I see your point there. Okay. Could you move the shed any further back, like five feet?

R. Rathgeber: I could. It builds the structure--the--you know--support structure. The gentleman who is gonna put the cement it, I--we talked about that and I think he could do it but it's--it would cost more money. It--cause he'd have to build a whole bunch of sub-structure down there to support all that.

Testa: Okay. Yeah, that slope does start pretty quick right there.

R. Rathgeber: And--and--and just again, as it goes towards his house it's very steep. You literally--there's some bushes there but if there were no bushes you could not climb the hill or at least you'd be crawling up the hill.

J. Rathgeber: Yeah.

Testa: Okay. How old are those trees? They look pretty big from the--

R. Rathgeber: The one that's--that would be in front of the shed, that's three feet in diameter, four feet in diameters?

J. Rathgeber: Yeah.

R. Rathgeber: Big ole tree.

J. Rathgeber: You can't get your arms around.

R. Rathgeber: Yeah, it's a big tree. I'm afraid that if it ever decides to come down, it's gonna do some--

J. Rathgeber: (Inaudible)

R. Rathgeber: --damage to the house. That and the one that's in front of the house, same thing.

Testa: Okay. I understand your rationale. Thank you.

Coppola: Do we have any other questions?

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Through the Chair to the petitioners, could you remind me what kind of foundation you're planning to put beneath the shed?

R. Rathgeber: It's gonna be a cement foundation. You know--they--they--they--they grade it and put gravel down and cement--four inches of cement I believe. Three inches. Four inches.

Turbiak: Are you aware that requires a rat wall?

R. Rathgeber: Yes. That's--

J. Rathgeber: It will have that.

R. Rathgeber: --that's the plan.

Turbiak: Are you concerned that the shed being so close to those two trees would damage the root systems?

R. Rathgeber: I am concerned. Anybody I've talked to--the cement guy, he says--you know--he's done that in the past and has not been a problem and I--you know--the idea that the roots being there and him being able to chew through them, he says I've got a machine for that and I'm like okay and it does concern me that it might damage the tree but--you know--it's a healthy tree right now so--

Turbiak: Could you--I mean, just again, this image, it looks like it's about a foot from that mature tree and--and maybe the same from the one that's on the fence. Am I reading that correctly? I mean, a foot from the

R. Rathgeber: Yeah, I understand. Yeah, you're talking about the back of the shed?

Turbiak: Yeah. Yeah that little West side of the shed and then I guess the North side of the shed.

R. Rathgeber: You know, when I'm standing there it doesn't seem to be a problem, obviously in the drawing here it does look close.

Turbiak: Yeah, I mean, obviously the proposal would--or you know--an idea to consider would be to--to move it a little bit further away from each of those trees, so, closer to the house, which would also alleviate the variance for the side yard setback depending on how much you would need to move it and then obviously you'd be moving it closer to the front of the street and that would be something that we'd have to consider--you know--against the life of the tree and or you would want to consider against--you know--potentially that tree dying--that you don't want it to die and or falling somewhere where you don't want it to fall.

R. Rathgeber: Agree. I--I guess one of the things that if I was gonna damage a tree and--and--it's such that it would be hurt, I--I--those two trees, the one on the side and the back are the ones that I care about the less. The one in the front is both the aesthetic to the house, it's a bigger tree and everything. So, as far as which would that I would rather encroach on, it'd be the side one and the back one.

Turbiak: I--I see your point, yeah. And I'm no arborist so I don't know how close you can get to the trunk and how that all--but it's something that you might want to consider.

R. Rathgeber: Absolutely.

Turbiak: Thank you, Mr. Chair.

Coppola: Anything else? Seeing none, is there anybody in the audience that would like to speak for or against this petition? Appears to be a no. Do we have any correspondence?

Klisz: No--no correspondence.

Coppola: Okay, thank you. Anything you'd like to say in closing?

R. Rathgeber: I--I think you've got the story.

J. Rathgeber: We appreciate you taking the time.

Coppola: You're welcome. Alright I'm gonna close the public portion of the case and I'll start the Board's comments with Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. I think I'm leaning towards tabling this one. I'd like to give the petitioner some time to consider the impact of the foundation to the trees. Not that he hasn't already given it some consideration. I--I feel like, again--I don't know, I didn't honestly get out to the site to see the trees and I don't know what his long-term plans for the trees are. Just maybe, it would be prudent to remove the trees if this is the location that's required for other--other reasons and for the Board's consideration but I'd like to give the petitioner more time to consider that, so, I'd be in favor of a tabling.

Coppola: Alright, thank you. Mr. Secretary.

Klisz: I agree. I--I think that I was sort of pondering--you know--can we just adjust it now and get this approved, but probably a tabling would be more prudent. I--I'm thinking our one thing we're looking at is the side yard--you know--essentially, side yard building, which isn't allowed. But I think that's the one where he's got the greatest hardship because originally I looked at go oh I can see that box fitting in--in behind the house but it can't. There's a true hardship there and so, I think that I'm comfortable with--with leaving it on the side of the house but I think we've already kind of discussed that it--you know--it's two feet away. That's pretty close. It could probably be moved. So--so the question is, should it be the full five feet or should we compromise something a little bit to make it maybe a little bit closer to the line but also closer to what the five yard requirement--or the give foot requirement would be and--and again obviously we don't have a neighbor complaining here about it either so that--that goes into the--to the equation so, I--I think that when we see it next time we could probably get something done, but it definitely should be moved a little bit closer to the house. How much, I guess that's where I'm sort of struggling myself, so, that's--that's my comments.

Coppola: Alright, thank you. Mr. Vice Chair.

Baringhaus: Thank you, Mr. Chairman. Conceptually I agree with the request for the variance but I think the point that my fellow Board members requested were to evaluate moving it closer to the home so that it would actually meet--come closer to the requirement, I--I think is well founded. I think you definitely have a hardship with the nature of the property and the fact that you have no backyard. That point was driven home to me when I saw one of your neighbors planting their vegetable garden in their front yard, so--you know--that tells you a lot right there--

R. Rathgeber: Same. Same for us.

Baringhaus: --But at this point, I think you're on the right track, just fine-tune your plan a little more. See if you can move the structure closer to your home and at this point, I'm in support of tabling the variance.

Coppola: Alright, thank you. Mr. Testa.

Testa: I agree with tabling. Not to repeat the comments but I would like to see it moved a little closer to the house. And I'm glad that there's no objections here tonight. So, I think this will--I'll be in support of it once we--once you come back with a proposal slightly closer to the house.

Coppola: Alright, thank you. I actually do not believe this needs to be tabled. I think we've got two distinct variance requests here. One would be deficient side yard setback, which I don't believe had the petitioner shown any hardship or practical difficulty that it can be moved three feet closer to the home and resolve that variance. In regards to the request for side yard, I think they do show a practical difficulty and a hardship. It's a large piece of property. While quite a bit--a bit of it terrain, it requires maintenance and--and you need equipment for that maintenance. While they have a decent size garage, not a garage that would be large enough to keep the equipment that's required. So, from that perspective, it--you know--it--it requires additional storage. The request--the storage they're putting in the shed fits within--in--in the zoning requirements. It's small enough. It doesn't exceed that. That's fine but there's no place to put it. So, I--I see the only--the only place really to put it, besides going across the bridge and way in the back which makes it really not that useful, is to put it on the side yard and they've appeared to have tried to move it as far back as they've possibly could but they have limitations with trees and such. So, I think--I think that variance should be approved. And again, like I said, we have the ability to partially approve a variance request. We can approve--in this case as an example, we can approve the side yard variance and we can deny the side yard placement and we can deny the deficient side yard setback. So, we can--we can take care of this tonight if--if the Board is inclined to do so. So, I'll go ahead and open up the floor for a motion.

Upon Motion by: Baringhaus. Supported by: Turbiak, it was:

RESOLVED: APPEAL CASE NO. 2021-04-16: An appeal has been made to the Zoning Board of Appeals by Russell and Julie Rathgeber, 31530 Myrna, Livonia, MI 48154, seeking to erect an accessory building, resulting in deficient side yard setback and erecting the building within the side yard, which is not allowed.

Side Yard Setback:

Required:	5 feet
Proposed:	2 feet
Deficient:	3 feet

The property is located on the north side of Myrna (31530), between Merriman and Auburndale, Lot. No. 060-01-0598-000, RUF-A Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 5.09, "Yards for Accessory Uses," and Section 18.24, "Residential Accessory Building," **be tabled in order for the petitioner to submit a revised plan taking the Board's comments into consideration regarding relocating the proposed shed closer to the home and the impact of the shed's foundation upon trees located near the proposed site.**

ROLL CALL VOTE:

AYES: Turbiak, Testa, Klisz, Baringhaus

NAYS: Coppola

ABSENT: Friske, Boloven

Passes four-one.

Coppola: Okay, so your petition has been tabled and I think the Board's comments basically said to come back with a revised plan. You don't have to. You can come back with the same plan if you so incline but a revised plan that reflects the comments of the Board.

R. Rathgeber: Will we get copies of the comments? So, that it's the way that would address it properly?

Coppola: I don't know how quickly the--how quickly the minutes are posted but I think in general the feedback was take into consideration the trees, number one, and move it further away from--from the property line. Did I miss anything.

Baringhaus: No, that's a good summary.

Coppola: So, the next--the next meeting, again, like I said, was May 25th. You'd have to get your revised--if you incline to do a revised petition to get that to the inspection department by April 26th. There's no extra expensive for that. It's already--it's already been covered. Alright, any other questions?

R. Rathgeber: Would it help if--basically, the rear two trees, I'm more than willing for--to take them out.

J. Rathgeber: And we can move the--we will--we're willing to move it--

R. Rathgeber: Yeah.

J. Rathgeber: --the three feet towards the house.

Coppola: Unfortunately, we've already--

R. Rathgeber: I understand.

Coppola: --already voted. I apologize. --

R. Rathgeber: I'm just saying--

Coppola: --So, if you come back with that plan--

R. Rathgeber: Would that be a part of the plan?

Coppola: --at least from my perspective it would be a relative quick--quick meeting.

R. Rathgeber: Okay. Very good.

Coppola: Thank you very much.

R. Rathgeber: Thank you.

APPEAL CASE NO. 2021-02-05 (Tabled on March 2, 2021): An appeal has been made to the Zoning Board of Appeals by Botsford General Hospital, 2000 Town Center, Suite 1200, Southfield, MI 48075, on behalf of Lessee 18th Street Development, LLC, 1550 Market, Ste. 200, Denver, CO 80202, seeking to erect a business center ground sign, group identification ground sign, directional ground signs and wall signs, resulting in excess ordinance allowances.

Business Center Ground Identification Height:

Allowed: 6.00 ft.
Proposed: 11.75 ft.
Excess: 5.75 ft.

Business Center Sign Area:

Allowed: 30 sq. ft.
Proposed: 77 sq. ft.
Excess: 47 sq. ft.

Group Identification Ground Sign Height:

Allowed: 6.0 ft.
Proposed: 8.3 ft.
Excess: 2.3 ft.

Group Identification Sign Area:

Allowed: 30 sq. ft.
Proposed: 60 sq. ft.
Excess: 30 sq. ft.

Directional Ground Sign Height:

Allowed: 5.0 ft.
Proposed: 6.7 ft.
Excess: 1.7 ft.

Directional Sign Area:

Allowed: 2 sq. ft.
Proposed: 26 sq. ft.
Excess: 24 sq. ft.

Number of Wall Signs:

Allowed: One
Proposed: Seven
Excess: Six

Wall sign Area:

Allowed: 200 sq. ft.
Proposed: 338 sq. ft.
Excess: 138 sq. ft.

The property is located on the north side of Seven Mile (39000), between 275/96 Expressway and Haggerty, Lot. No. 023-99-0001-004, PO Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 18.50G(b)1,2,4 and (g) "Sign Regulations for Professional Office Districts," and Section 18.50D(i), "Permitted Signs."

Coppola: Thank you, Mr. Secretary. Excellent job. I would have taken a break between that if I were--that's pretty good. If the petitioners can come forward please. What do we--I think we actually have to do a--

Baringhaus: Mr. Chairman.

Coppola: Thank you.

Baringhaus: Okay.

Coppola: Mr. Vice Chair.

Baringhaus: Motion to remove appeal case 2021-02-05 from the table.

Klisz: Support.

Coppola: I have a motion by Vice Chair Baringhaus, supported by Secretary Klisz. All in favor?

Board: Aye.

Coppola: No opposed. Okay. If the petitioner could step forward, name and address for all those that are planning on speak.

Mount: Hi, my name is Bob Mount. I'm with Beaumont's planning and designing construction. My address is 50700 Shenandoah Drive, Macomb Township, Michigan. Myself and Angela Matthews attended the meeting on March 2nd. Tonight, we also have David Claeys with Beaumont with us.

Coppola: Okay. Right. Thank you. Mr. Stroble anything you'd like to add?

Stroble: Not at this time, Mr. Chair.

Coppola: Any questions for the inspection department? Mr. Neville, you had circulated a--a memo for us. I greatly appreciate that. There was a question that was brought up by the petitioner in regards to some of the wall signs and the--I'm trying to find my--my notes here--and the--which ordinance was actually applicable to those signs. Whether it was going to be if--I'm probably gonna get this wrong, but I'll try. 18.50g sub b sub 4, where the petitioner's suggesting that it should be under 18.50g sub b sub 3.

Neville: That's correct. And part of it is--was relative to when the matter was previously before the Board. The question came up whether or not the--that sub section, b3, was applicable and--and there was some confusion as to what accessory commercial or support service might--might need with respect to that specific section of the--of the ordinance and so part of that was caused by my--frankly we had never used that subsection of the zoning ordinance when I was on the ZBA and during my time here with the law department, so it was something that's--hasn't received a lot of applicability--you know--to my understanding. So, I thought, to be fair, that it would be appropriate for me to provide some guidance with respect to how that the term has--it's applicability under our zoning ordinance. How Michigan case law has construed language which is extremely similar if not identical to--to our--our ordinance and to essentially separate--the type of things are for consideration if there was a--a sign that would be applicable to that subsection of the--of the code and so essentially starting off through some definitional terms beginning with our code, our ordinance 2.04, which defines various building types and uses and accessory uses defined specifically as a use normally incidental to and subordinate to the principle use of the premises. And the term principle use is defined under our ordinance as the primary chief purpose for which a lot is to be used. So, with that as a starting point, this particular property is in a district which we have zoned--which is zoned as PO High Rise Professional Office District and as such, a permitted use under section 2604 of our ordinance addresses those type of structures. And so, under our ordinance, the permitted use is essentially all uses that a building could be subjected to or use in an OS District, which is our Office Services district, hospitals over two stories in height, not exceeding four stories in height. And then accessory

buildings and uses customarily incidental to these permitted uses include things such as restaurants, parking garages, car ports, and non-commercial recreational facilities and that's section 26.04 sub c paragraph number one. OS Districts, the permitted uses include professional offices, such as medicine, Osteopathy, dentistry, psychology, podiatry, law, engineering, typical--you know--you'd consider professional services. And so that's a permitted use in the High Rise District as well as in the OS District. So, taking that further, our experience in applicability has been where there is a professional office building and the services are those that kind of augment or are supplemental to principle activity being conducted within that building. Here we have professional--medical professional services and in a--you know--traditional office setting that would be things such as a cafeteria, a restaurant, Subway shop, print shop, let's say a FedEx distributor shop, a car port, tailor, shoeshine, things that you would find in a High Rise professional office building. Those are what we have where we have applied the accessory commercial use section towards. And it would be the use--the accessory use is one conducted inside the building and is located on the first floor and in our--our use has been where the access into that accessory use is through the--through the ground floor and that entrance under which the--the sign is to be situated. Now, looking to see how--you know--how perhaps our Courts have addressed, I came across--there were two cases that went to the Michigan Court of Appeals. Now they're--one was a published opinion and that was the Township of Groveland versus Jennings and that was a 1981 case. And that involved some mining activity and then the owners, they wanted to conduct some other activities on the property. And so, what the Court did was, first of all, they looked at what the Grover Township--Groveland Township--the language in their zoning ordinance was. And what the Court stated was that an accessory use is generally defined as a use which is clearly incidental to and customarily found in connection with and located on the same zoning lot as the principle use. The nature of an accessory use is something less than the primary permitted use, demonstrated by characteristics. Accessory uses which are dependent on or pertaining to the principle use and so, what the Court says is you have to take all those--those words together. You don't separate one, it's not an accessory use, it has to be an accessory commercial use which is incidental to or normally incidental to. So, it can't be--you can't suggest that this is something that may be conceivable uses for the property but it had to be something that is was normally incidental to that principle use on which the property was zoned. So, the primary use has to be continued activity but then you have this accessory use that will--like I said, supplement or augment that. And then, in the Ida Township versus Southeast Michigan Motor Sports case which was an unpublished--the unpublished cases don't have the same precedential--precedential authority as a published case. They do provide guidance as to how Courts could or would address the situation. In looking back at the Groveland case, this case involved--a property owner wanted two large parcels of property, wanted to set up a motocross track and use it for activity consistent with that. And so again, the--Court starts off the Trial Court--the Circuit Court has actually sided with the petitioner in that case but the Court of Appeals said you--you have to look at the--take the language as a whole and so the accessory use is one that is--and the Court says, customarily incidental and subordinate to the actual principle use of the same parcel of property. Let me put my glasses on to read this part. And then, customarily incidental, the Court explained, modifies the term incidental and did not stand alone such as the challenged activity much be customarily incidental to the primary use, not merely customary or incidental and that's something that might happen every once in a while but that has to be something that would augment, incidental to the primary use of the property. And so, -our ordinance using language practically identical to Ida Township

because our use in order to fit within that 1850g b3, an accessory use under our section dealing with High Rise professional offices those that are normally incident to and subordinate to the principle use as well. So, following the Court of Appeals' rulings those words normally and customarily do not stand alone so they have to fall--and that's why where you normally would see an activity such as--maybe not the account lawyers, physicians, etc., but you have that print shop, you have that postal, maybe a FedEx shop or a cafeteria or something that helps to perhaps maybe draw the tenants and augment the--the professional building. So, taking that all into consideration, the five signs here, North Entrance, South Entrance, Emergency, Ambulance and then Surgery Pick Up and so, with the case law and with the zoning ordinance tells us then is by looking at what the proposed use is this--is this sign relative to an accessory commercial use--well North and South entrance in my--my opinion are more directional than they would be anything with regards to a service being provided within the--on the first floor of the building. Then you have the Emergency entrance and again, you have--the proposal is to have a large Emergency identifying sign up on top of the building. Is this directional because that might be excessive. And I'm not saying that you can't find that perhaps the Emergency entrance or the ambulance sign or the surgical pick up are not accessory commercial uses but the things that the--that the case law is, do these signs identify an accessory commercial use or support service as those terms have been defined under our zoning ordinance? Are the signs merely directional? Or do they do something else? Is the Emergency entrance on the first floor but is that again--is that more directional versus--versus an accessory use. Ambulance--there's no Ambulance service proposed to be in the--on the ground floor of the building other than those which may be servicing this particular building. But again, is that something that may be customarily incidental to or with emergency services? Which an emergency use is a principle use at this building is in fact intended to. Surgical set up--pick up, again, is that merely directional? Telling people where to go? Is that how you get into the surgical pick up? So, those are the kind of things and is that something that again is typically--I--you know--or commonly found with respect to the proposed, Emergency Service that the petitioner plans to put this--this building to. So--and is that sign located over the main entrance into which access to that commercial use is gained. So, my hope was that--because I was admittedly caught flat footed with respect to how that language in that code was applied, not only here in Livonia but as well as in the State of Michigan and my hope was at least provide the Board with some guidance. So, when you hear the petitioner requests relative to those five signs specifically or more pointedly, and then might give you grounds for some questions that you may want to pose to the petitioner that will help you reach the decision on do all, any, none or however--however you decide whether or not they have met that burden and whether or not they have actually proved that that particular section would be applicable. Or does it fall under how the building department looked at it as essentially a wall sign because it is not the type of activity that we would typically find in professional office buildings here in Livonia. Make sense?

Coppola: It does. Thank you very much. Appreciate that--that was a question that we really weren't prepared to answer last time so we are prepared now. Alright, so I'm looking at the revised--or the new petition--it looks like there's been no changes to your request. Is that--is that correct?

Matthews: This is Angela Matthews, Little Fish design. My address is 5373 Military Ave, Brighton, Michigan 48116.

Coppola: Okay.

Matthews: Yes we do have revisions, I don't know if these drawings--if this packet of drawings made it to everybody's inbox. I know Ms. Mootsey was trying to get that out with the--

Coppola: I think so.

Matthews: --Okay. So, first if I may, Mr. Neville, thank you very much for that explanation. That was very educational. I really appreciate that. I would like to start with those five access points--those signs. I think that's maybe the lowest hanging fruit. There are no changes to those five signs as we have requested.

Coppola: Mmhmm.

Matthews: We do have five doors. To get to the emergency medical services, we have a dedicated Emergency door so that door needs to be labeled as such. The ambulance canopy is labeled as Ambulance so that people do not arrive at the wrong access point. That is specifically for the ambulances to pull through. The majority of entering traffic has to drive by that--that door to get to the Emergency door, so we labeled it Ambulance, not so much for the ambulance drivers who know where to go but more for the people to know where not to go. We do have a dedicated door for surgery discharge which is the surgery pick-up door. That is the only way to get a patient who has completed their surgery out of the building. The North and South entrances, I'd like to just clarify what is happening in those doors if I may. You go in the Emergency door or if you are exiting the Surgery Discharge door or the ambulance bay, you're walking into that area of the building and out of that area of the building. The North and South doors give you access to very different services. Inside the North door, you access radiation, oncology, infusion, the pharmacy, and ten private pac--practices. There's an elevator there that services that side of the building. On the South side of the building we have registration, surgery, diagnostic imaging, a lab, and ten private practices. So, we're not advertising these services as part of a functional way-finding package. We need a way to tell patients which side of the building to go to. So, by simply labeling it North and South, we didn't have to la--list all of those services within and we can address that in pre-arrival information. So, I think that summarizes everything on--on those five signs. So, we did draft those, I believe in the spirit of the law as Mr. Neville had stated so, what I was kind of relating that to in my head was if this was a mixed use--a mixed use development where I had five stories of residential above and I had restaurants and office space and whatever on the first floor, in that instance, the ten--not to exceed ten square feet would be your guidepost. So, we--we did use the same guidepost here to keep those signs at a minimal readable height to mark the entry points. The next easiest thing, I think, to discuss is the ground monument. It was requested by the Board that we look at that and instead of being at eleven feet tall, drop it to eight feet tall. So, we are not at 56 square feet. It does bring the name of the facility only nine inches above grade, but we have drawn it and we believe we could make that work. The ground directional--what you have in your packet is just the one, but all directional would be on--resized the same--a maximum height of five foot six, which gives out--which puts our lowest message just about eight inches above grade at four foot six wide. Both of those signs were redrawn according to the Board's requests. The group ID sign is now within what's permitted in the code. I am at 32 square feet instead of 30 square feet. It dropped our cap height

almost in half but we do not exceed our six foot height limit, we are over by two square feet, so, we're hoping that you would grant us that two foot variance there. The last two signs to talk about are the wall signs and before I get into that I would like to address the concern that we heard from the Board at our last meeting. I believe Mr. Boloven, Mr. Klisz, and Mr. Baringhaus had questions about the clinical services that were housed at the campus. So, we have Mr. Claeys here to address the clinical services and the emergency services that would be provided.

Claeys: Hello, I'm David Claeys. 53801 Aurora Park, Shelby Township, Michigan. I'm the president of the Dearborn and Farmington Hills hospitals and the senior executive for our ambulatory strategy for Beaumont Health and I think the team asked me come and talk to help explain exactly what's going on here. So, I think what we have is--we have some private use with some private tenant physicians. We'll have services and there's individual private practices, their own businesses and they will have some form of services, diagnostic testing in their offices. Beaumont Health will also provide a very comprehensive outpatient service platform, including all five different kinds of rehabilitation services, full complement of diagnostic imaging services, full complement pathology services, a full complement of cardiac non-invasive testing, as well as potentially a heart catheterization lab. We will have a joint benchmark ambulatory surgery center herein this location and we will also have a pharmacy as well as a market slash cafeteria on the first floor, that we will be utilizing. I don't think I miss any services; I might have and I apologize if I did. The last one is around the Emergency room and I think there's some questions around that--is it really an Emergency room? Yes. It is a fully licensed, credential through the centers of Medicare and Medicaid, registered with the State of Michigan, Emergency room. It will be staffed by the Royal Oak level one trauma center emergency room physicians and we will take care of patients. What happens with all emergency rooms is we place them really on a registry or alignment process with the medical control authorities. So, Western Wayne has a medical control authority, Oakland County has one, Central Wayne, and Macomb County. And those individual agencies that include the hospitals and the first responders; they grade, rate, and level what services or what types of patients can be transferred or sent to each location. And so that's really important because what we don't want to ever have is the wrong patient showing up. A patient going through with an acute heart attack or an acute MI, not chest pain, but a true acute MI, needs to go to a place that has a Cath lab. A person that has a stroke may arrive at a hospital that's stroke certified but can't do interventional, neuro surgery and so that patient has the okay to transfer to one of our other hospitals or to a different hospital in the area that's closest to, to provide that next level of care. It could be a burn patient. The list goes on with a bunch of different--a bunch of different services that really are kind of independent and make up what an emergency can or cannot do. We think that it's important to have all these services in this community. We have a large group of patients that come from this area that travel a long distance to our Emergency room. We think that's less than ideal. We think it's important that they have good access and quick access to that in their community. If you think about there's always a stigma that this huge number of people get admitted to the hospital through the emergency room. An emergency room probably averages nationally right around between eleven and sixteen percent of all the patients that come through that get admitted. If you have an observation or it's a free-standing emergency room. If it's attached to the hospital, that number tends to creep up without what we call an observation unit. It probably pushed around eighteen percent. So, the big medical centers or a hospital that has a high admitter is about 25 percent of the patients they see in the emergency room. That's both ambulance traffic and walk in traffic. So, we think it's

really important from our perspective to have all these services. Very forward in our primary service area for both, Beaumont Farmington Hills, which is Botsford Hospital as well as in conjunction with our Royal Oak Hospital who treats and sees a lot of these patients now. Any questions for me?

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: Okay. Back in 2019, on meetings with the Planning Commission and the City Council, your emergency operations were described by representatives of Beaumont as an Emergency department.

Claeys: Yeah.

Baringhaus: Can you tell me how you've evolved since that point? Or what is an emergency department back then versus what you've done today.

Claeys: Yeah. It's still exactly the same. So--

Baringhaus: Still exactly the same.

Claeys: --Yeah.--

Baringhaus: Okay.

Claeys: --Yeah.

Baringhaus: You mentioned that your emergency--your emergency room would be staffed by level one trauma physicians from your Royal Oak facility. How would you describe the proposed emergency room today? Is that like a level three trauma center or is that something below that or?

Claeys: You know, right now we're gonna make it below it. We're not gonna give it a trauma status. Most of our hospitals are either fours, threes, twos or ones. The state is working through a process today where they're trying to address how do we want to align all the emergency centers into a full trauma network statewide. If we did that, the minimum that we'd have to become a level four trauma, which is pretty basic and pretty similar to what our Taylor Hospital is as well as our Wayne Hospital. It just identifies some basic expertise that we would have well within our reach with our team from Royal Oak being there. It doesn't require trauma surgeons and that to be on site.

Baringhaus: So, if I was a patient at this facility I could come into your emergency area, be treated, then released after treatment?

Claeys: Correct.

Baringhaus: Or I could be treated, held for--stabilized and then reassigned to another facility?

Claeys: Yep.

Baringhaus: Another option would be I could be in this--your Emergency room, held for 23 hours--I believe. And then at that point you would make a decision to transfer? That's kind of the typical paths--

Claeys: Yeah.

Baringhaus: --a patient going to your emergency room would take?

Claeys: Yeah, sometimes we hold patients for 23 hours, maybe shorter, as we're doing additional advanced diagnostic testing. Sometimes it just takes time for those results to come back. So, we don't necessarily want to release that patient back into the community unless we know it's truly safe for them and so that's--those are kind of what are options are there. With a few observations beds to--to help these patients get the treatment they need and not be transferred.

Baringhaus: Is this type of operation kind of a new direction for Beaumont? I know that you put a facility in--I think in Monroe--Monroe area? I think it was Lenox. It's kind of a model or prototype for the Livonia facility?

Claeys: Yeah, we have one in Canton--

Baringhaus: Canton as well.

Claeys: --Canton has a free-standing emergency room, yep. What we've seen or learned, looking nationally at the nation trends, is that more and more--if I use Kaiser Permanente as a great example--more and more do we have the big hospital emergency room, more and more free-standing emergency rooms out in the communities so people don't have to travel so far. And what actually ends up happening to those big emergency rooms is they become kind of like a large transfer center. And so, the sickest of the sick come there. Strokes, big traumas, big heart attacks, those things that are requirement immediate surgery or immediate care. Because again, the bulk of the patients, some 80 percent of them plus or minus a few percent really will get the care they need, get some form of a diagnosis and follow up with their primary care physician or a specialist as well--is what they really need.

Baringhaus: So, basically, would you describe yourself as more than an urgent care but not a full hospital or where would you fall in that spectrum?

Claeys: Yeah, we'll be a full emergency room but not a trauma center like Farmington Hills is, which is a level two trauma center, which we see stabbings, gun shots, basically everything a level one trauma center sees.

Baringhaus: Okay. Thank you.

Claeys: Yeah.

Coppola: Okay, well, partially, wanted to just--part of my confusion was unless I got the wrong Public Notice--

Baringhaus: That's what I got.

Coppola: --there's--this public notice is incorrect. They've made significant concessions and I appreciate that. Now that--and I apologize. You probably looked at me a little crossed eyed when I said I don't see any difference because the Public Notice shows no different whatsoever but there's significant concessions here and I do appreciate that.

Matthews: There was quite a bit of confusion around the Public Notice that caught us by surprise too.

Coppola: I'm not sure, Mr. Neville, at this point, I mean, we're not probably noticed.

Neville: Well--

Coppola: So, I was looking for direction from you whether we--we can proceed as is or do we need to properly noticed.

Neville: My--my opinion would be that because the--if I read the notice correctly, it's with respect to--the issues were with respect to the signage and it laid out the--the issues that were gonna be discussed here today, so I--I would think we're--there's at least notice as to what is going to be addressed by--by the Board but--so, I--I would think it would be okay moving forward but again that's--that would be the Board's call if they think that they should re-notice it in accordance with the changes that were made with respect to some of the signs.

Coppola: I think it's just the issue is--and again I don't know how controversial this is or isn't, it could be subject--I mean, now we're just open up to potential--an objection to this hearing because it wasn't properly noticed, if we have someone that doesn't like what we're doing. That's the only concern I have and maybe that's just a bridge we cross if we have to and deal with it at that point.

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yeah, I just have some--some thoughts about that as well. Just as a--as one Board member, I was, like yourself, not aware of the concessions that had been made. I'm not sure yet where to find the summary in the packet, I do see some of the--

Coppola: It is--it is in the green sheet from the inspection department has--has what actually was changed--

Turbiak: Okay.

Coppola: --and you'll see they've got it marked up from their original green sheet--

Turbiak: Yeah.

Coppola: --to the changes. The only piece that I'm missing kind of is in relationship to the wall signs, what's what and I think I gotta go back and look at what was submitted and it's not completely clear to me so maybe--I get everything else, so maybe what would be helpful is if you could go--do you have a copy of the Public Notice handy?

Matthews: I--on my laptop I do.

Coppola: So, if I give you this--this Public Notice, could you go through it, item by item--

Matthews: And--yes.

Coppola: --and tell us exactly so that people can make notes here.

Turbiak: Yeah, just to finish my comment, basically to get to the point, I'm not sure that I've had time to study and consider it. I mean, we can try and go through it tonight and again, I'm just one person's opinion but I see that the markup is dated four nineteen which is yesterday. I don't know when it made it into our electronic package.

Coppola: Yeah.

Turbiak: I saw that there was update earlier today and maybe in the middle of the afternoon. Maybe that's when it came in. I mean, I have a full time day job so I--I'm willing to try and hang, if you will, if you want to walk through it and then maybe make a reconsideration. I just want to point out that--you know--as a Board member, it's --you know--

Coppola: A little bit of a challenge.

Turbiak:--appropriate to have time to study the matter.

Coppola: Let's--just real quick, if you could go down to the first page and look at the--at the notice and if you could take us through each of the items, start at the top go left to right, left to right and work your way down, tell us exactly what the changes are--

Matthews: Sure.

Coppola: --from your perspective.

Matthews: Sure. On the business center ground identification sign, allowed is six feet, what is now proposed is eight feet, not the eleven point seven five. So, we would be in excess of two feet.

Coppola: Okay.

Matthews: On the business center sign area, what is allowed is 30 square feet, what is now proposed is 56 square feet. So, we would be in excess of 26 square feet. The group identification ground sign height, what is allowed is six feet, we are now at four foot six. So, we are not in excess and that would not be a requested variance. The group identification sign area is allowed 30 square feet. We are at 21 square feet, so, we would be in excess of two square feet. The directional ground sign height, what is allowed is five feet. We are at five foot six, so we would be in excess of six inches and the sign area, what is allowed is two square feet. We are at 24.75 square feet, so, we would be 22.75 feet in excess. And the number of wall signs, what is allowed is one. What is proposed is seven, so we would be in excess of six. That has not changed. The sign area, I'm not--I'm a little confused on how to address this properly so if you could just indulge me for a minute. Mr.--Mr. Turbiak had asked us to go back and see what we could do within the allowed 200 square feet and so the last three pages of that supplemental packet which I think is what you're referring to came through today--

Coppola: Mmhmm.

Matthews: --there was a CAD dimension that was set to the wrong scale, so the wrong number was one there. Depending on what we do, if the service provider is set at 200 square feet--let me just double check my--so that would be based on a five-foot six capital letter "B", 165 square feet of that is actually all the lowercase letters, so we have about 35 square feet that's just the ascender and the "T" that's kind of coming off there. But if we call that 200 square feet then we would only be asking for an additional--I apologize I lost my page here-- 56 square feet for the word Emergency. Now, that 56 square feet is based on the capital letter "E", so, that goes from the top of the capital letter "E" to the bottom of the descender, the "g" and the "y". If you were to take the "x" height--the majority of that sign, that's 36 square feet. So, you have about 20 square feet that's just open space because it's a capital letter with a lowercase word. So, to go back to finish what we're asking for, what is allowed is 200 square feet. I believe what we're requesting is well the five--the five--

Coppola: What's the size of each of those five signs? Are they all the same size?

Matthews: They're all--they're very close to the same size. They're all under ten square feet.

Coppola: Okay, so 50--let's say 50--

Matthews: So, we can call that 50--

Coppola: --square feet, just round it--

Matthews: Sure.

Coppola: --plus then the 200 and--

Matthews: And the 50--56 for the emergency.

Coppola: So, it would be 3--306.

Matthews: Yes.

Coppola: Okay. Okay. I appreciate that. Mr. Stroble, does that match what you have?

Stroble: Yes, Mr. Chair.

Matthews: Would you like your notes back, sir?

Coppola: I appreciate you going through that, I just wanted--because again we were really--I was very confused when I--

Matthews: It--it was--it was confused.

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yes, excuse me. I missed the--in your summary there, Ms. Matthews, when--in reference to the directional ground sign area, I think you said the height was gonna be a six inch variance request and the area, what was that variance request?

Matthews: On the directional signs?

Turbiak: Yeah.

Matthews: So, the way the code is written, you're allowed two square feet per directional sign, which I think we talked about at the last meeting is basically a box on a pole.

Turbiak: Yep.

Matthews: But the three messages that we need to put out there are North, South, and Emergency entrances. So, five foot six is the top of our sign, that's on--that--because we're going grade to the top of the sign, the first six inches is a concrete pad so that we can mow and weep whip around it. The actual--so the sign area there is 24.75 square feet.

Turbiak: Okay. So--so it looks like in the previous one, it was proposed to be 26.

Matthews: We had--we had--

Turbiak: So, you only dropped it six inches?

Matthews: --we brought it down six inches.

Turbiak: Not much, okay.

Matthews: Yes.

Turbiak: Okay. So, you said it's basically 25--24.75?

Matthews: 24.75, yes.

Turbiak: Okay. Thank you.

Coppola: Okay. So, question on the layout. You may have included it in--well there's 300 pages here--so, you may have included it earlier in the earlier package but you talked about how the North and--what--

Matthews: The North and South entries?

Coppola: North and South entrance. Yeah. For some reason I'm thinking it's like East and--or West and South. Can you not walk between those two inside the building? In other words, distinctly separate sections that you--if you came in the North, you could not get to the South.

Matthews: You can traverse a corridor that goes North to South. Yes.

Coppola: Is that a direct corridor?

Matthews: There is an elevator core, stair core, and restroom core in the middle. So, it kind of--there's a wide corridor, it splits to minimal and then goes back--

Coppola: So, if someone--someone made the error of parking in the wrong section--came in the wrong door, they could get to the right section without having to leave the building and walk around?

Matthews: They could. Yes, they could. But we are paying attention to the patient populations there. Those are radiation oncology patients. Those are patients who are there for physical therapy and we're trying to minimize their walk. The radiation patients are coming--you know--five times a week for five weeks and going through some pretty rigorous therapy so, whatever we can do to keep--keep them closer to the door and give them a landmark for their first time there, so they (inaudible). But yes, you are correct. There is a--a corridor that you could traverse if you did come to the wrong door.

Coppola: Okay. Other questions? Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Through the chair to Ms. Matthews, so, going back to the larger, primary wall signs, service provider, Beaumont and the Emergency, regarding your updated measurements, I didn't have a chance to flip back and forth to the actual measurements, so, looking for a little guidance here. But just starting with the Beaumont, it looks like the capital "B" in your updated package that we got today is five foot six is--for the--for the capital "B", is that right?

Matthews: So--right. We did two layouts. We have one at five foot six, which gives you an overall length if you were to draw the rectangle from the top of the capital to the extent of the--extender on the lowercase "t". It gives you 36 feet eight inches. So, that's 200 square feet. If we drop the--the capital letter "B" to five feet, it shortens our length to 31 feet four and a half inches, which is 152 square feet. The rest of those lowercase letters come down to about three foot nine. So, that was--that's the difference there. If we come down six inches, we can make up that 50 square feet. That would be then hopefully allocated to the Emergency sign. And if it's--if it's important for those two signs to fit within the 200 square feet allowed.

Turbiak: I see. Yeah, no, I see. So, there's two pages here. Okay. And then regarding the Emergency--I'll have to look at that a little bit closer in a little bit, but regarding the Emergency--

Matthews: Mmhmm.

Turbiak: --would the height change for the capital "E"? It's showing, looks like three foot two inches now.

Matthews: No, what we're showing is the--the top of the capital letter "E" to the bottom of the descender of the "g" and the "y"--

Turbiak: Right.

Matthews: --is three foot two.

Turbiak: Yeah.

Matthews: The capital "E" is still the original submitted size.

Turbiak: Okay, so, just to recap, the size of the e didn't change in your proposal?

Matthews: No. We--we--the size didn't change. We just tried to clarify the calculation in the square footage.

Turbiak: Okay, so--you know--I'll have to look back in the old package, so what was it instead of three foot two from the top of the "e" to the descender of the "g" and the "y", what was it before? Do you know?

Matthews: We were calling out the cap height of the letter "E," which, off the top of my head, I don't remember.

Turbiak: Okay.

Matthews: It may have been two foot nine. Possibly. Or three--

Turbiak: Okay, so--

Matthews: Or an absolute three foot. Do you remember?

Mount: I feel it was two foot seven.

Turbiak: In essence you were failing to measure below the line that the “g” and the “y” hang down, right? In the previous calculations--

Matthews: We--we had called out the cap height, we hadn’t called out the extends of the--we had called out cap height, we had called out square footage, but we didn’t--we we’re tight to the extends of everything.

Turbiak: Did the square footage change? I guess--

Matthews: We’re actually--we’re less than. What we had in the first--first one we said roughly a three foot capital letter “E” would give us around 100 square feet but we went back, scaled everything and we’re tight to those descenders and it came out less. 56 square feet.

Turbiak: Okay, I’ll have to look at it closer. I’m not--it’s still unexpected that--that it would come down. Did the space between the letters get reduced? Is that--

Matthews: No.

Turbiak: No. Okay.

Matthews: They--and--and again I know what was handed off was a little--it was--it was messy but what happened was we were drawing--in our cad document--we we’re drawing on different layers at different scales and we had snapped to what was a base layer for backing and blocking behind the architectural cladding instead of to the letter. So, that’s where--it was just a--on the layers that we needed to clarify.

Turbiak: Thank you for that clarification. Thank you, Mr. Chair.

Coppola: Alright. Question for you on the wall sign with the Beaumont. You submitted option one and option two.

Matthews: Yes.

Coppola: So, the option two is a smaller sign.

Matthews: Yes it is.

Coppola: Would--would you find that smaller sign acceptable if we were to, as a compromise to--

Matthews: This--this is a question for Mr. Mount.

Coppola: I assume you included the option that it's acceptable probably not optimal.

Mount: We put it in there--right, we would like the--the large "B", obviously, the five foot six "B" so, like I said, we just offered that as an option. A negotiating point. If--you know--if we had to make room for the Emergency then let's--you know--we could fit that almost in there and almost get within the 200 between the two signs. You know, I just ask though, I mean for that building, the way it's situated on the property and the way the property is, there's really--the building really can't be seen from Seven Mile or Haggerty. So, our only opportunity for the community to see that this is where Beaumont sign is, is that face of the building, where that Beaumont sits right now, where those letters are. So, you have traffic that's going faster down I-275 and a shortened window of space where they can see that so, it's--it's really the only identifier on the building that says this is the Beaumont building. If you're going to the Beaumont building this is where it's at. This is where you need to go. Not only that--the--the Beaumont lettering, we used all lowercase lettering too. So, when you measure the capital "B", it doesn't really show you or present accurately as to the size of the actual sign because most of the letters are all much smaller than then b is. So, I'd really prefer the larger Beaumont on there. And I--you know--I don't feel it's too large. I feel like distance it is off of 275, the fact that it's all lowercase letters and the speed of the traffic there justifies it. We wanted to come back with an option--a second option to that.

Coppola: I appreciate that. Alright, thank you.

Matthews: We also wanted to just show you the difference in that negative space. That really--what that reduction is--is it's--we're making the letter itself six inches smaller but what we're reducing is the negative space between those ascenders.

Coppola: Well your blue banding is--is--is almost becoming kind of a--kind of a trademark too. What you have there so--

Mount: That's the--

Matthews: Beaumont is blue. That is correct.

Mount: The building-- the building skin is blue it's not the sign that's blue.

Matthews: It's--yes. There's a--there are other areas in the building where that blue stripe is incorporated.

Coppola: Any other questions?

Klisz: Mr. Chairman.

Coppola: Secretary Klisz.

Klisz: I think last time we had a question too--there was some debate about the highway signs and whether those were going to be allowed or not allowed. Is there--is there--

Matthews: So--

Klisz: --they're still here. So, is there any update on the--on the highway signs?

Matthews: So, the MDOT sign package--that application is still in with the State. That application will not move forward until we have the proper paperwork to submit to MDOT and that doesn't come until licensure which is a few weeks before opening. If that MDOT package is approved, it wouldn't be until after this opens. Those signs--the ones that are within the State's purview on 275, are placed a mile and a half away from the building. So, it's before--well before the first cut of the decel lane to the off ramp. They're--they're notifying you that the exit is coming up. So, miles away from the building, we still have to label the building and we still have to label the doors. So, the--I don't think the MDOT package really has any tie to our need to still sign access points and label the building.

Klisz: Okay. Thanks.

Mount: We--we've also--the Lenox building is ahead of the Livonia building. We have approached MDOT--the local MDOT building in Macomb for the Lenox building and we've had some struggles convincing them that we need highway signs along the highway. They're asking for it to be a hospital to have signs along the highway. So, we're not--we can't guarantee that we're gonna end up with MDOT signs so, we're--we're gonna continue to try but that's sort of where we're at with that.

Klisz: Okay thank you.

Coppola: Vice Chair, Baringhaus.

Baringhaus: Mr. Klisz--

Coppola: Asked your question?

Baringhaus: Asked my question for me. Much more eloquently I might add.

Testa: Mr. Chair.

Coppola: Any other questions?

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Thank you. So, I visited--not out of necessity but just to--out of curiosity--the Canton Center and I noticed a couple differences between the sign package and it's not too surprising and with the company that's changed their signage probably six times in the past ten years. But I did notice, the Canton location does not have Emergency on the building itself. It did at one time. It's now gone. And then also the monument sign at the Canton location--the wording is--is

different. It's called a medical center and then obviously Canton, but it calls it 24 hours emergency versus emergency. So, could you maybe speak to why your Canton facility doesn't have Emergency on the building and then why the signage says 24 hours emergency versus emergency itself.

Claeys: Yeah, one I didn't know it didn't but I think that is a--just a--that's a legacy building that we incorporated in--into to Beaumont Health from Oakwood Health prior. Not really familiar with that. Did not know it did not have them on the outside like we were putting on all of our new buildings. Don't have a good explanation for it other than we just did not know about it. But, I appreciate you letting us know that for sure.

Testa: Okay, yeah. When it was Oakwood it did have Emergency on--on the overpass that you're driving a car underneath for--for drop off. It's since been removed. But maybe speaking specifically to the monument sign. Theirs says 24 hour emergency and yours says emergency. And--we'll I'll let you answer and then it'll maybe speak to why I'm asking.

Claeys: Oh, wait. Say that again.

Testa: Please answer and I'll speak to why--

Claeys: Oh. Yeah. The sign on the road--I think it goes back to what Bob is saying and that's the state trying to understand--obviously the free-standing emergency rooms are newer. Henry Ford has them also as Beaumont does and some of the other health systems. I'm not sure why MDOT took the sign down. I actually thought it was there. I sent Bob over to look at it and he said it's gone, there's no sign out there. So, that was a learning experience for us also. So, we've been working with MDOT and that's why there's no guarantee that they'll allow us to put to small--the Emergency room signs up on--on the highway. That's--we--we don't have that guarantee and that's what we were requesting the clear signage on the building itself.

Testa: Yeah, sorry, I'm talking about the monument sign.

Claeys: Oh.

Testa: Up front.

Claeys: I'm not sure on that. I'm not familiar with that location proper.

Matthews: I--the only light that we could possible shed on that is you--you have to be 24-7 to be an emergency room and as Mr. Claeys stated, that's a legacy building so that could just be because it's an older sign. Probably ten--I'm guessing ten years old.

Testa: Yeah, I think the signs completely changed from Oakwood to Beaumont but okay. It's fine if you can't answer. I guess it--back to maybe your earlier point where we started--how would someone know--if I needed to go the emergency room right now, if my issue is--can be dealt with at your facility where I need to go to a different hospital.

Claeys: Yeah, I don't think any of us know that when you come in. I'll give you a couple examples. So, if you're a patient with persistent pulmonary hypertension, a patient with chronic pulmonary hypertension, up until a couple years ago, you had three options. You could be treated at Detroit Beaumont Hospital. You could be treated at the Mayo Clinic or treated at the Cleveland Clinic. When you run out of medication, you don't have days, you've got maybe an hour or two. I think U of M has started a pulmonary hypertension clinic since then but we don't know when people come through the emergency room. What we know is the sooner than you get some form of appropriate care, the safer and the better that the outcomes are for you. Short patient, getting a cat scan in 30 minutes is key. Because if it's a blockage, well then you can start TPA or some other form of medication. But if it's a bleed, you don't wanna start those medications. Then you gotta be transferred to one of the bigger (inaudible) quaternary centers to have a neuro intervention procedure done. So, it's difficult. We feel strongly, that's why we have the team from Royal Oak coming over to staff it. Then we have the maximum expertise there but I would say that most the patients that come through the door--somewhere between 75 and 82 percent do not need to be admitted to a hospital and just need to--you know-- go back home with follow up with a primary care physician or a specialist and those ones that do, we transfer to the appropriate level.

Testa: Okay. Yeah, I guess I was thinking of the Canton because it says 24 hour emergency that maybe leads people to not a--maybe realize it's not a full on hospital, although it's probably obvious from the building itself that is smaller.

Claeys: Yeah.

Testa: But your facility here in Livonia is gonna be quite larger than the Canton facility. It could confuse it as a hospital but I think you're trying to take care there of that with the sign--the monument sign saying outpatient campus.

Claeys: Yeah.

Testa: Is that correct?

Claeys: Yes. And it'll be--it'll meet all the requirements from CMS and from the State to function as an emergency center and the joint commission. It will be joint commission inspected. Just like the rest of our ERs are. It'll be similar to the Taylor Hospital Emergency room.

Testa: Okay, thank you.

Claeys: Yeah.

Coppola: Any other questions?

Baringhaus: Mr. Chairman.

Coppola: Vice Chair, Baringhaus.

Baringhaus: Okay, yeah. Just a question going back to the business center ground identification sign. We have that currently at an eight-foot height, correct.

Matthews: We have it re-drawn at four feet high, eight feet long.

Baringhaus: Eight feet tall.

Matthews: That's on page three.

Baringhaus: Yeah, your page three.

Matthews: This--I'm sorry--this is the sign you're referring to?

Baringhaus: Yes.

Matthews: Yes.

Baringhaus: Okay. Yeah this--

Matthews: The sign--so, the way that that's drawn, the sign face itself is four feet tall, eight feet wide. It's on a base of nine inches and that's to get us up and out of the landscaping.

Baringhaus: Okay, because the sign on Seven Mile, it's up on a--basically a two foot--looks like elevated two inch--feet.

Matthews: The sign that--oh yes.

Baringhaus: Okay. Is there any consideration of just making it six feet and then you would still be in compliance?

Matthews: So, we did have it drawn originally at the eleven foot six--

Baringhaus: Right.

Matthews: --the reason why we had it at that height, was to have the word Emergency about the roof line of the car. We feel that that's very critical. So, if you go back to the original drawing, there's essentially a third blue panel underneath the out campus--outpatient campus panel. So, that did two things, it got the word Emergency above the roof line of the car, so if I'm behind another car, I can still see where I'm going. Especially, if I'm kind of in a frantic frame of mind trying to find something. Honestly, I'm gonna see a red stripe and know where to go before my eyes are gonna read the word Emergency. But that also put up into the sweet spot for the cone of vision for the driver. We did bring it down to--to the eight feet. It does put--you're right even with the roof line of a sedan or a four-door vehicle. A truck--if you had a truck or an SUV in front of you, it would block right across that sign. So, we did bring it down. Bringing it down even another two feet would put the word Emergency well below the cone of vision of a driver.

Baringhaus: Okay. Thank you.

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yeah, I kinda wanna piggyback on Vice Chairman, Baringhaus' topic there. So, just a few comments. Thank you for reconsidering the sign and for reducing it significantly--you know--almost--almost four feet there. I think that's more appropriate. Just a couple comments on why I was gonna--I guess just some comments. You mentioned that it's important for the emergency sign to be above average car height and in the location where this sign is being--that there's no drive area in front of the emergency sign, because again, emergency is only on one side of the sign, right. So, people entering Fox Drive there or leaving Fox Drive are not blocking drivers who are driving eastbound on Seven Mile from seeing emergency because emergency is not on the west side of the sign and on the opposite side of the coin, if you will, driver's driving westbound, there's no driveway for a car to get in between the sign and--you know--and they'd be on the grass basically, right. So, I think there's not as much of a concern to bring the emergency sign down. So, I was gonna make that case but you kind of already adjusted so, I appreciate that but my concern is that the grade there is kind of unique. It's about two feet above the sidewalk.

Matthews: I just want--it is not current grade. There is a new grade plan that's not final topo there--

Mount: I--

Matthews: --as it is now.

Mount: I can't speak to that. I'm not sure.

Matthews: I believe if we--I need to look closer at the site plan because I'm a fish out of water here. I'm not a civil engineer but I believe what you're seeing currently through construction and the way that that is mounted is not what the final topo's going to be. That area's going to be graded and landscaped. I don't have the landscape plans or the civils in front of me but I know that that was approved through Planning Commission. I think that was 2020. Was--we--that was--there was a drive planned and tried to be negotiated through the property to the East--yeah--to the West.

Turbiak: Yeah.

Matthews: And it didn't go through and so everything had to be redrawn so, I would defer you to the final civil and landscape plans that were approved by Planning Commission to understand how that grade will--will change.

Turbiak: Okay. So, if I understand your intention through, it's to be--cause there's sidewalk grade and then there's the grass grade currently.

Matthews: Mmhmm.

Turbiak: So, your intention is for the sign to be no higher than eight feet above the sidewalk grade or--you know--give or take a couple inches for--you know--grading for rain water and things towards the street.

Matthews: It's eight feet above grade, whatever is grade there.

Turbiak: Right

Matthews: So, I would--I mean I can--I would be happy to resubmit that on the proper civil so that you can see the topo change and I could give you where--where the press of the road will be, where the sidewalk will be, where the landscaping will be and where we would measure for this then.

Turbiak: Okay, well, I'll leave it up to the Board to see if they have any other questions or concerns about it. You know--to get clear about it, I didn't want there to be some kind of a game play cause it's already pretty high at the sign--at the ten feet from the easement from the right of way. And then if you just go back a couple of feet, I mean, it--it goes up pretty steep currently. Again, to your point that's not the--

Matthews: That's not the final--

Turbiak: --the intended topo is, but--you know--I just was concerned that maybe that grade just comes out a little bit more towards the street and now it's back up to twelve feet above the sidewalk if you will.

Matthews: I think maybe Mr. Neville could shine a little light. I'm pretty sure that how you define grade in your point from grade to the top of the sign is well defined in the code.

Neville: That would be more appropriate for the building--or the inspection department.

Mount: I--I'm not familiar with the exact grade in that location so I can't tell you. There wasn't--by lowering the sign, we're not now going to change the grade to make it different. So, it's still at the same height. So, whatever the grade was in the plans that have been submitted, it'll stay at that grade, whatever it was.

Turbiak: Okay.

Mount: There will be no adjustments to adjust for the lowering of the sign.

Turbiak: I'm lacking that grade plan though. I don't know if anyone else on the Board has access to that grade plan. So, the point is that it's an unknown at this point. So, it just has to be acknowledged that as of today, it's unknown what the actual sign height will be relative to--again, I'll call it the sidewalk because that's the reference that I would like to use. Okay, I think that's all for--for that line of questions. Mr. Chairman.

Coppola: Okay. Thanks. Any other questions? Seeing that there is none, I would like to--if you guys could have a seat for a minute and I'll see if anybody in the audience would like to speak for or against this petition. Would you like to speak--just step up to the podium and I need your name and address.

Grabowski: Hi, My name's Pete Grabowski. I live at 42389 Crestview Circle, Northville, Michigan and I own the building at 39040 West Seven Mile Road. It's an old Victorian house. So, it's hard for me to voice either support or go against this proposal because I had not seen the plans yet. I've tried to contact Beaumont to no avail at this point. So, I would just like to implore the Board to table for now until the next meeting so I can get a better look at that and be able to--you know--formulate a--what--you know--what our stance would be. We're--we're worried about the height of that ground sign. We don't want it to block the view of our building and--you know--the lighting. We're not sure. We don't want it to--you know--wash out, same kind of thing and take away. So--you know--we're very open. Obviously, we know they need signs, just would like to have more information.

Coppola: Okay, how long have you owned the building?

Grabowski: Since February of this year.

Coppola: So, you just purchased it?

Grabowski: Yep.

Coppola: So, you were aware of the--of the construction going on behind you and around you?

Grabowski: Yep.

Coppola: Okay. At the time you bought the building, you didn't--had you asked to look for--at any plans or go to the city to look for plans or?

Grabowski: So, I--I do have like a site plan, but I don't have like a landscaping sign plan. That type of thing. So, I'm--I'm very aware of the building and all but--you know--the finer details I guess is something I have not seen.

Coppola: And what will you use this building for?

Grabowski: So, we rent engineering services out of our building. So, we have incubated startups and we have engineering consulting that we do there.

Coppola: Okay. So how many tenants do you have in there right now?

Grabowski: Currently, it's just our--just our three employees but we're actively expanding so it's--you know--we'll have more in the future.

Coppola: Okay, thank you. Any questions? Alright. Thank you very much.

Baringhaus: No, Mr. Chairman, just a comment. I thought earlier in this process, that property, particularly with respect to that home, was reviewed extensively through the Historical Commission and or the Historical Preservation Commission. I don't know if anybody else has any recall on that conversation.

Turbiak: Sounds familiar.

Klisz: It's in the package.

Turbiak: It's in the package.

Baringhaus: Yeah, I thought I saw it in the package.

Klisz: It's towards the end of the package. Those are inside pictures of houses in here.

Turbiak: Well, I believe that it was at one time and I think it alluded to, maybe by Ms. Matthews that that road that currently is--you know--Fox Drive exits onto Seven Mile was hoped to tie into--and maybe I've got my names of the roads incorrect but it's the one where the movie theater and the Hyatt and all of that exits onto Seven Mile. So, they were hoping to tie it in there and to get access to the light. And in that case the road would have gone through the backyard of the gentleman at the podium--I'm sorry I didn't get your last name--his--his newly acquired property and that would have required removing some of or all of the--I guess it's called like a garage, maybe it's a pole barn in the back and like you mentioned, Historic Preservation Commission was involved in discussing that and I can't remember if they were--had gotten to the point where they were okay with it but ultimately I think it's the owner of the property--Para--anyways, the ones that own the Hyatt and all the land to the North and to the West. I don't think that they were amendable to coming to an agreement on access to that road. And on a side note, similarly, the Shake Shack and the to-be-named bank that's on the Northwest corner--sorry, Northeast corner of Seven Mile and Haggerty had also approached Paragon I think it is--had approached that company to get access to the road as well and they were also unable to come to terms of agreement.

Coppola: Okay. Alright, thank you. Anybody else like to speak for or against? Seeing none do we have any correspondence?

Klisz: We do. We have the one letter written to the Board from Mercy Health--Saint Joseph Mercy Health System dated April 15, 2021 (Letter read.) Letter of objection. Robert Castelu and David Spivey. That is the only correspondence.

Coppola: Alright, thank you. Would the petitioner like to have a final word. It would be helpful if you would respond to--

Claeys: Yeah, I would fundamentally completely disagree with any confusion that it would create for the residents. I'll give you an example. How many people go up north to the Gaylord area. You have a heart attack, where do you go to get care for your chest pain or heart attack? You go to Otsego Memorial Hospital in downtown Gaylord. You know where you will actually get your

heart attack care? Either Munson Medical Center or Petoskey Regional Medical Center McLaren. Those are the only two Cath labs that handle (inaudible.) So, you have to travel either in your car, by an ambulance or by helicopter. Every emergency room can't handle all the different levels of trauma and care that we give. No different than the Taylor Hospital. And hospitals can't afford it. We don't all have burn centers. We don't all have pulmonary hypertension centers. We don't have interventional vascular labs that deal with strokes. We can't do complex thoracic surgeries. Complex orthopedic surgeries. Everybody can't. My hospital in Dearborn can. My hospital in Farmington Hills can do most of them. Royal Oak can do almost everything. The University of Michigan can do almost everything. But the key and important essence of patients' care is people receiving that initial care up front and immediately. I'm also not just an administrator. I'm also a provider and I would tell you that the first place I would go to if I was in Gaylord is Otsego Memorial Hospital to immediately begin getting cared for and treated with medications and then transferred and I would go here--because again, like we said, somewhere between 75 and 82 percent of the patients end up going home. Majority of those patients just need regular care and a small percentage get transferred to big (inaudible) quaternary care centers. A small percentage. We don't think it's right that the community members here in Livonia and in the surrounding communities have to travel a greater distance and a longer time when they're having chest pain or having problems and--and encourage a further delay which could worsen their case, cause irreversible damage and other problems and issues. We think it's important that people don't have to wait in traffic and travel. And that's Beaumont's big, new focus. High quality, low cost care and increased access. We've created 30 urgent cares. We'll see about 500,000 people in those urgent cares. Why? Because those people don't need to go to an emergency room. And the same thing happens. You don't need to come to my big, level two trauma center in Dearborn. You don't need to come to my big, level one trauma center in Royal Oak. You need to have a smaller, something greater than an urgent care, it doesn't have to be a great, big giant complex, overcharge the patients, emergency room. And that's what we're trying to provide for the community. Our data all says it'll be very successful and that's exactly what the community needs. And again, those patients are traveling a great distance already to a hospitals and we just don't think it's fair or right. Thank you.

Coppola: Okay. Did you want to address by chance, your neighbor's concerns?

Claeys: Neighbors? Oh.

Coppola: Victorian Home.

Claeys: Yeah. We'll get them the drawings. I did not--we did not know--I'm not aware of that. I'm assuming Bob and my team is not aware of it 'cause we would supply them the drawings. I don't think it's a secret to your point. He can definitely access them but we will get them the drawing and information that they're requesting and work with them. We're good neighbors with everybody that we work with, whether it's Royal Oak or Dearborn or Farmington Hills, wherever.

Coppola: Okay.

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: Just in the package and maybe Mr. Turbiak touched on this. There is a--quite a detailed letter from the Historic Preservation Commission.

Coppola: What page is that on?

Baringhaus: Oh boy. It's 306 to page 305. 373. So, the home, relative to some of the proposed renovations to the property, Mr. Turbiak requests are covered in the letter. So, both the city and the Planning--looks like the Planning Commission had some fairly extensive discussions on it and again--you know--thanks to Beaumont--you know--they'll give you the plans--your basic concern was with the lighting correct?

Grabowski: Yeah. The lighting and the--and it might obstruct our view.

Baringhaus: Is there anybody present that can get some background information on the lighting?

Matthews: I'm sorry. I just wanna clarify, you're saying the--the site lighting, not the lighting from the signs?

Grabowski: Well--

Coppola: Hold on one second. Pardon me.

Grabowski: --the light from the sign directly.

Coppola: To be able to get it on the record you're gonna have to--to come up to--I don't know if this mic is working or not--is it?

Stroble: It works.

Coppola: If you could go up to this other mic just so that we can capture.

Grabowski: Yeah, the basic concern would be with the like lighting and--you know--I don't even know what type of sign it is. I don't particularly want a sign like Schoolcraft has with the--you know--an LED screen or something. You know, if it's spotlights or whatever that would be--you know--fine. I just would like to see what the plan is.

Matthews: Sure. And the reason why I was clarifying is because whatever site lighting is happening on there would be in the civil and landscape plans and there are certain candle foots that are required. That package would be separate. The box itself is not an electronic messaging center. It's an internally illuminate sign cabinet but it has a routed illumined face. So, only the letters are illuminated, it's not the whole sign base that is illuminating. And it is a single sided sign. There is no left turn into the campus, so on the sign face that would be facing your property is essentially blank. It has a Beaumont manicure at the top, which is only the top eight inch--I

think it's an eight-inch letter. Maybe seven-and-a-half-inch letter on that side. The rest of that side is blank and not illuminated. Hopefully that--

Coppola: That would be the side that would be facing his building, right? Would be the West facing side that has no illumination?

Matthews: The West facing side. Yes. So, you have the--you have the house to the West of the drive, correct?

Grabowski: Mmhm.

Matthews: Yes. The sign that--the sign face that would face your property--it does not have a message.

Grabowski: Okay.

Turbiak: Mr. Chair. But it is illuminated at the top, right Ms. Matthews?

Matthews: Yes it is. The Beaumont letters across the top are. Which I don't have that drawing in front of me but they were roughly eight inches or less.

Turbiak: Ten inches.

Matthews: Oh, was it ten?

Turbiak: Yeah. It was.

Coppola: Okay. Thank you. Anything else?

Matthews: Did you have anything else to address the--?

Mount: No. I don't know if you wanted me to

Coppola: Could you step up to the--

Mount: Oh, sorry. Wanted me--I mean I can give you my contact information and you can reach out to me and I'll provide you with the plans.

Coppola: Alright, thank you. Alright, I'm gonna close the public portion of this case and start the Board's comments with Secretary, Klisz.

Klisz: I appreciate the work that has gone into this from basically everyone involved. From Mr. Neville in the Legal Department and obviously we all take--taken a lot of time on this and spent a lot of time examining it and going back and forth. I appreciate the petitioners working with us to come down on their proposals. I guess I'm still struggling with this--some slight things. I think it's obviously gonna work out and--and basically--you know--always appreciate when petitioners

come forward and make an effort to reduce the excesses. And I think we're pretty close to that and I live very close to this emergency room and I would probably be visiting it myself, hopefully not, but if I had to, it would--it's there and I--and I understand the concept of it and whatnot and it is right in my neighbor so, I'll be looking at these signs every day. So, it impacts me personally as well as the city generally. But--you know--certainly like to hear what other people have to say. You know, is it something that should--should we work this out tonight or should this be tabled. I guess that's really the only fence that I'm on. But I think that the plan is coming along nicely at this point.

Coppola: Thank you. Vice Chair Baringhaus.

Baringhaus: Okay. Thank you, Mr. Chairman. Yeah, I echo Mr. Klisz' wishes and too would like to thank everybody for their hard work and efforts on moving the plan closer to reality. Basically from where I'm at right now, I think there's been--I appreciate the reduction in signage size that's been done in a number of areas with--you know--business center ground signs and the group identification signs--getting those more in compliance as well as reducing the size of the directional ground signs which I think could be easily done given the fact that the speed limit within the complex is 20 miles an hour. So, a smaller sign is definitely readable. I guess what you have to look at is--you can't really look at this in the context of--you know--a traditional office building, it's a medical center and that being said, I--I think maybe it requires a little more additional signage than what a normal building would. Looking at some of the five signs, I tend to look at those in terms of--I think those are probably customary signs for any kind of medical p--complex. Like Mr. Testa, I drove to a number of out--complexes and did just--you know--a quick survey of the sights and those are very common sign--signage. Entrance signs for direction entrance signage, surgical pick up, ambulance, emergency, all normal course of business. Other than that I did have some concerns about how they were defining their emergency operations and I thank you giving us an excellent explanation this evening. You clarified some of my concerns. Appreciate the effort that the--I did have some concerns about the size of the Beaumont identification sign. You did reduce the size of that. I know you have a little angst on that but I will say, I live in the area like Mr. Klisz does and I really think you have an excellent location. You're very close to I-275. You're very visible from going East to West on Seven Mile. I mean, you have a 130,000 square foot brand sign there so people aren't gonna miss it. So, I think the current signage package would work for the facility itself. I don't have any serious objections to it, so I'd be willing to approve the variance.

Coppola: Okay. Thank you. Mr. Testa.

Testa: Thank you. So, I appreciate the modification you guys made. I also appreciate the detail you put into the package. You've been working on the fly here to update our Public Notice so we could better understand a high-level summary. I will be in support of this. I think the changes that were made reflect the comments we gave last time and I'd like to thank Mr. Neville for looking into this matter more. I know we kind of caught you off-guard with a direct question last time. So, thank you for taking the time to--to investigate. Thank you.

Coppola: Alright, thank you. Mr. Turbiak.

Turbiak: So, first of all, I want to thank Mr. Neville for that excellent memorandum that he put together. Very educational. Very thorough. When he got done explaining that tonight, I--I wanted to applaud. I also, wanna thank the--the team from Beaumont. They did a great job of preparing and answering questions on the spot. Especially about the emergency room. I had some concerns about that as well. The way I see it, there--there's two proposals here cause there's an option for the Beaumont sign. A smaller one and a large one. I ran the numbers and during our discussion, we had estimated those five signs as 50 square feet. I used the numbers that were presented in the package and I came up with 36 for those. So, to sum it up with the large sign, it's 292 square feet, if my calculations are correct and with the slightly smaller sign it's 246 square feet total. Obviously, the variance allows for 200. So, it's either a variance of 46 or 92. I would be able to support the smaller consideration. I think that the inspection department's interpretation of the black and red background--although they are visually appealing, they toe the line of how our ordinance is written and--and how it can be interpreted. I think a lot of signs have a solid background and we measure the whole sign. Not just the letters. It's when the letters are on the building that we measure the letter size. So, this one's kind of in a grey area because the--the background is extended around the corner in some cases. Maybe both cases, actually. So, like I said, it's kind of a creative way to--to maximize the attention and still fit the ordinance's measurements of just measuring the letters. So, I--I think that that benefit, and that interpretation really is enough to--for me to be able to approve the--the smaller size. The other consideration is the neighbor just finding out about this very recently. We had a little more discussion about that. I--I don't see it as a major concern. I--so, I would be willing to vote on it tonight without tabling based on that understanding. Thanks.

Coppola: Alright, thank you. First of all, to the Beaumont team, thank you for listening to us last time we were here. The adjusted proposal comes much--much closer to what was suggested, and I think it--it's a pretty good sign package. My biggest concern is--is just the confusion with the notice and then after hearing the--the correspondence from--from your competitor down the road, they may have been writing in regards to the notice but not particularly to--to what you are proposing and so, that--that confusion concerns me some. And so, I'm kind of on the fence here on tabling. And the other reason I'm on the fence on tabling is--is the--you know--there's some confusion as to what we're really approving. We're not approving what's on the notice, yet we're approving what they proposed--you know--it's not--we'd have to go through a rather lengthy--anybody that's willing to do that--go through a lengthy motion in regards to--to what actually is being approved. That said, like I did last time, I'd like to go through--through these variance by variance to give you my--my opinions on this. I'll do that quickly, so not to take up too much time. We've been here quite a while already. For the business ground--business center ground identification height, the eight foot--greatly appreciate that. That's what I suggested. I think that--I think that's a good compromise. I think it works really well and will look good. And then you reduced the business center sign area, correspondingly, and I think that--that overage proposed variance works. Again, that was 51 square feet which is only 21 square foot overage. I think that works. The ground identification--ground--group identification ground sign height. You went back to the--to the ordinance height of--actually you dropped it below the ordinance height, so that no longer become of request for variance. Greatly appreciate that. Just a minor overage on the ground identification sign area. 32 square feet. So, it's only a two square foot overage. I don't see that as--as a significant issue and would approve that. The directional ground sign heights, you now propose five and a half feet which is a half a foot--six inches above--I--I don't have an

issue with that. Again, if it was at the perimeter of your property that might have a little bit of a different feeling, but it's inside your property and I think it's helpful that--that the directionals--as to the sign area--directional sign area--I think Mr. Turbiak had some issues with that. I--I actually find the design extremely attractive compared to a post and sign that is allowed. I think this looks a lot more professional and a lot more attractive than a--you know--a metal post and a little sign on it. So, I'm willing to allow that and I think it matches with the rest of the signage in the area, including the business center ground sight and such. Now we get to the wall signs and this is where, Mr. Neville wrote a very good memorandum. It was extremely helpful for me. It helped clarified the issues. Again, I don't think some of these signs are very clearly into the ordinance that you guys had suggested which is the 18.5gb3 but definitely could be--could be perceived to be so. So, from my perspective--and I think they're helpful for--for the--for your patients and your clients. So, the ambulance, the emergency entrance, and the surgical pick up, I have--I have no issues with. I--I would suggest that even if it didn't--if it wasn't interpreted to fall within--in that one ordinance, that I think it provides a service to--to the community and to your patients and your clients and it would make sense to do that. North and South, I--I have a problem with that. That does not fit within the confines of that particular ordinance allows those types of signs and I think it sets a precedence in the community and we actually had, I believe, a property owner that was on the South side of Seven Mile that was chomping at the bit to start putting North and South signs on his building if we approved this or at least show up. So, I don't--I don't see those--especially if you can walk through the building. It's not that big of building that you can't get through to the other side if you make a mistake and again, you can always--always advise your customers to--to which entrance they should go in if they drive, you go in this one. So, I--I like the three, I think they make a lot of sense. I think they're like 20 square feet--not even--22 square feet. I'm okay with those. Then getting to the Emergency and the Beaumont sign. If you do option two, I think that Beaumont sign is pursuit to how we measured 154 square feet and then Emergency is 50 square feet. That's 210 square feet. That--that's ten square feet over--over the allowed. Ignoring the other signs. To split into two, I think it provides a little bit of assistance so that people know that there's emergency in that building. So, I think that's--that's okay to split it into two signs as long as it stays relatively close to--to the ordinance. So, that would be--that would be what I would be comfortable approving. I guess again, the question is, should we proceed and it's unfortunate. It's our mistake and I do apologize for that mistake, with a mistake on the notice which potentially could put you at risk and us at risk of having to do this all over again anyways or deal with some other issues or--or to table this, get the proper notice, have you guys address comments on the wall signs--my comments on the wall signs. I think everybody else here was--was okay with the wall signs. My comments on the wall signs and give your neighbor an opportunity for you to give them comfort there's no issues there. We can get you on quickly--onto the May 25th meeting. Gives you--what--six days. Until Monday to do a--to get--I know your profession can do it pretty quick--any type of revision you need to get in so we can get the proper notice out. That's my position. I'm also open to--to voting tonight but I think it gets a little complicated. So, I'll go ahead and open the floor for a motion.

Upon Motion by: Klisz. Supported by: Baringhaus, it was,

RESOLVED: APPEAL CASE NO. 2021-02-05 (Tabled on March 2, 2021): An appeal has been made to the Zoning Board of Appeals by Botsford General Hospital, 2000 Town Center, Suite 1200, Southfield, MI 48075, on behalf of Lessee 18th Street Development, LLC, 1550

Market, Ste. 200, Denver, CO 80202, seeking to erect a business center ground sign, group identification ground sign, directional ground signs and wall signs, resulting in excess ordinance allowances.

Business Center Ground Identification Height:

Allowed: 6.00 ft.
Proposed: 11.75 ft.
Excess: 5.75 ft.

Business Center Sign Area:

Allowed: 30 sq. ft.
Proposed: 77 sq. ft.
Excess: 47 sq. ft.

Group Identification Ground Sign Height:

Allowed: 6.0 ft.
Proposed: 8.3 ft.
Excess: 2.3 ft.

Group Identification Sign Area:

Allowed: 30 sq. ft.
Proposed: 60 sq. ft.
Excess: 30 sq. ft.

Directional Ground Sign Height:

Allowed: 5.0 ft.
Proposed: 6.7 ft.
Excess: 1.7 ft.

Directional Sign Area:

Allowed: 2 sq. ft.
Proposed: 26 sq. ft.
Excess: 24 sq. ft.

Number of Wall Signs:

Allowed: One
Proposed: Seven
Excess: Six

Wall sign Area:

Allowed: 200 sq. ft.
Proposed: 338 sq. ft.
Excess: 138 sq. ft.

The property is located on the north side of Seven Mile (39000), between 275/96 Expressway and Haggerty, Lot. No. 023-99-0001-004, PO Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 18.50G(b)1,2,4 and (g) "Sign Regulations for Professional Office Districts," and Section 18.50D(i), "Permitted Signs," **be tabled for the petitioners to address the North and South signs, to allow for a full Board to be in attendance, and out of an abundance of caution due the incorrect Public Notice.**

ROLL CALL VOTE:

AYES: Turbiak, Testa, Klisz, Baringhaus, Coppola.

NAYS:

ABSENT: Fraske, Boloven

Passes five-zero.

Coppola: My deepest apologies on the error on the notice. I think if it wasn't for that we probably, with a little bit of housekeeping, could have got--gotten this through but I do wanna make sure that we get this buttoned up with our I's dotted and T's crossed. So, I'm gonna make you have to come back one more time. Do apologize for that. But I think--I think we're there basically. And if you can--we'll make sure we get it--the petition right this time and I--I apologize. I should have

looked at it closed too, although I guess you were saying that green sheet might not have even been in there at the time, huh? With the markups.

Turbiak: Yeah, Mr. Chair. The-the drawings are--are time--or dated stamped the 15th. I believe the Public Notice is dated the 5th of April, so I don't--I don't know if it was on our side. I think just these updates came in late is how I'm looking at this.

Coppola: So, whatever happened, it happened and so, I think to--just to be--to do it right, make sure we get everything straight, and only have to do it once, we'll have you guys come back again. The 25th is the--is the next open agenda. I mean, 25th of May. You'd have to get your--your submission in by the 26th. Hopefully, that's not too much of a problem for you.

Mount: I don't think so.

Baringhaus: Mr. Chairman.

Coppola: Mr. Vice Chair.

Baringhaus: Yeah, if I can just make another suggestion and this is more for us. There's 395 pages of documentation in there, which the current plan is buried somewhere in the middle of that. If the building inspection department could move the current set of drawings up front for us. I think that would expedite things as well.

Coppola: Well, it may be even helpful since it will--we--we can get to the old stuff.

Baringhaus: Easily.

Coppola: So maybe if we only include new stuff in the petition that might be helpful.

Baringhaus: Just put it front and center. That's all. Not that I don't mind looking for it.

Coppola: Alright, well thank you very much. I do appreciate it and again, welcome to Livonia. We're looking forward to you guys--

Beaumont Team: Thank you.

Coppola: --being here. Alright we have some housekeeping ourselves. We've got some minutes to vote on. We've got--we'll do one at a time. So, I've got the minutes for March 16th.

Klisz: Motion to approve minutes from March 16th.

Baringhaus: Support.

Neville: Hey guys. Picking up on the mic. You're talk--

Coppola: All in favor?

Board: Aye.

Coppola: You can't vote. You weren't there. And I've got the minutes for three thirty--March 30th.

Baringhaus: Mr. Chairman. Motion to approve the minutes from our March 30th, 2021 meeting.

Turbiak: Support.

Coppola: All in favor?

Board: Aye.

Coppola: That was Mr. Vice Chair Baringhaus and then Mr. Turbiak seconded that. Okay. What else do we got? Anything else we need to get done today?

Baringhaus: Your favorite motion?

Coppola: Oh, just real quick, I believe we will be back sequestered in our houses for the next couple of months, I think is the rules right now. What through June?

Klisz: Through June, yes.

Coppola: So, even though we were pioneers for this--for this city--

Neville: Taking point--

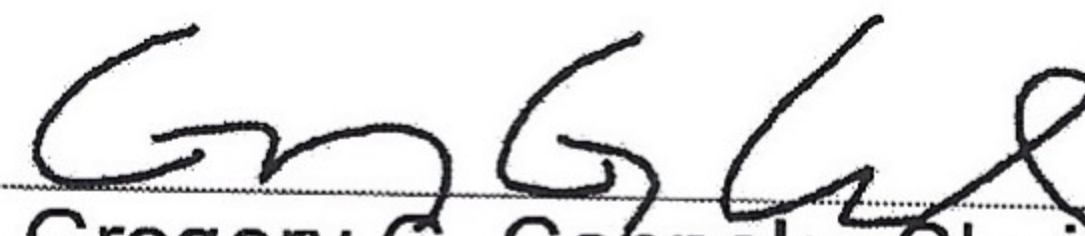
Baringhaus: Mr. Chairman. Motion to adjourn when you're ready.

Board: Support.

Coppola: All in favor?

Board: Aye.

There being no further business to come before the Board, the meeting was adjourned at 9:42 p.m.



Gregory G. Coppola, Chairman



Timothy J. Klisz, Secretary

/vcb CEO 9489