

ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, MAY 12, 2026

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, May 12, 2026.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mike Fisher, Chief Assistant City Attorney
Harry Ramsden, Building Inspector

The meeting was called to order at 7:00 p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each Petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each Petitioner may ask to be heard by a full seven (7) member Board. Seven (7) members were present. Secretary, Timothy Klisz, then read the Agenda and Legal Notice to each appeal, and each of the Petitioners indicated their presence. As the full Board was present, no Petitioners asked to be rescheduled to be heard by a full Board. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, Petitioners, and City Departments. There were several (not counted) people present in the audience.

(7:00)

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APPEAL CASE NO. 2026-04-02, 17878 Vacri Lane: an appeal was made to the Zoning Board of Appeals by Mahmoud Kaawar, seeking to erect a six-foot-tall vinyl privacy fence to enclose the rear yard of a double frontage lot resulting in a fence erected in the required rear yard setback for a fence on a double frontage lot.

Setback

Required: 30 feet

Proposed: 0 feet

Deficient: 30 feet

This Low Density Residential property is located on the east side of Vacri (17878), between McNamara Drive and Myron Drive, Lot. No. 036-02-0166-000, N-2, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 A.3.

COPPOLA All right. Thank you. Mr. Ramsden, you have anything you'd like to add?

RAMSDEN Not at this time, Mr. Chairman.

COPPOLA Any questions for the Inspection Department? All right. Seeing none. The Petitioner can step forward to the podium. Anyone that would like to speak, I'll need the name and address.

BADAWI Good evening. My name is Yakout Badawi. I'm the spouse of Mahmoud Kaawar, and I'll be talking on his behalf, if I may.

COPPOLA Sure, absolutely. So why don't you give us a little, just-- I know you presented your application. But give us a little kind of summarization, trying to understand specifically what you have as a hardship or a practical difficulty that would require us to give a variance.

BADAWI Absolutely. So the proposed variance is important for our family as it creates a safety for our kids, especially our son, he is present today, He is very adventurous, and without it, it is a life risk, as our property is right on a part of Farmington, which is a very big street, so there's high traffic. And I guess before you I also did with the proposed information, I did provide details about the risk he may encounter that no parent would ever want to endure. Therefore, we really appreciate your reward to approve it as serve as a support for our kids, as well as our neighbors on each side of the property, they approve such project to enable the treatment for our child he deserves, as well as not keeping him inside the property the whole time. There are some specific details that I would appreciate if I can keep it private, you can probably add it on this one, just for the respect of him being present. So our son, he is special needs, he has autism as well as nonverbal. As stated previously, when we first moved to the property, the reason why we moved to the property, honestly, is because it's more spacious at the big yard and on the property, as well as we know how much the City of Livonia has previously accepted our son as one of her school districts. Therefore we planned on, after pretty much 13 years, we were able to finally move into this lovely city. So I would really appreciate you guys approve this fence. We're making sure that pretty much this fence does not cause any hazards to any of the property or to any of the pedestrians on the side of the street. So for that being said, with the safety reasons for the risk that he might very much go to the street. I don't

want to say galloping or running away. Pretty much, he's adventurous. And, yeah, sometimes he likes to be outside at night. We cannot handle at night in the street. So he wants to pretty much just feel as normal kid as anyone else. So privacy fence will create much more safety for our well-being, to be honest with you, as well as trying our best to keep him just in a [location] safe as possible. So your honorable Board approval will serve as an acceptance and as a support for our kids. [Inaudible] Thank you.

COPPOLA Thank you. Stay there. How long you been at the house now? How long have you owned it?

BADAWI We just purchased the property back in October of 2025.

COPPOLA At the time, I think there was, might have been some slip rail fencing along Farmington Road. Did you ask anybody around in regards to what the requirements were for putting the fence up? Did you understand what you were getting yourself into in a sense?

BADAWI Yes, yes, I actually came to the City before I do anything about it, just to ask, What should I do with other laws, with other regulations? What is the levels? Is it also [inaudible] to the soil? Are we capable of putting that particular fence or not? Because we don't want to create any hazards to anyone, so we really advocate for the City. We spoke to the city department.

COPPOLA Okay. Have you considered other types of barriers along Farmington, such as landscaping, or other types of barriers that might....

BADAWI You know, like with the trees and stuff like that?

COPPOLA Yeah.

BADAWI Yeah. We cannot do privacy trees in general, because, as we said, my son is very adventurous. He will actually get himself out there, just run, especially because he hears the traffic sound, and he kind of stick to it. Unfortunately, the traffic to him is the same thing as water, as if we have a wonder of water, he will just run through it. He doesn't understand danger. He doesn't assess danger. And usually, most of the time he has on headphones. So definitely he's not gonna stop whenever we ask him to stop or run away, I mean, we move in hopes that it will be much better for him and his living in the city has a better opportunity for himself.

COPPOLA How old is your son?

BADAWI He is fifteen.

[Inaudible]

BADAWI Yes.

COPPOLA I noted that I didn't see a picture of the fence that you're proposing. Do you have a sample or a picture of that fence? The only reason I'm asking--

BADAWI I don't actually have a picture [inaudible].

COPPOLA One of the reasons I'm asking is, we've had a couple people already in your neighborhood come forth, and we've given approvals. And one of the things that we're going to try to do is to have consistency along that street. So in the sense of design and color, we want it to be consistent as people get, I'm assuming over time, a majority of that street's gonna want a privacy fence. Farmington Road has gotten busier. Cars have gotten louder, in some shape. So I understand that. So I think one of the things that we would need to understand and see is a picture of the fence. I didn't see that, and we would basically say it has to be the same within limitations. I mean, you may find out that they don't make that anymore. You can't get that. We want something similar. So that would be, that would have been helpful. I did see your, I think it was yours that had the order.

BADAWI Yeah, [inaudible].

COPPOLA I tried to look up the fence quote, and I tried to look up that, that style that I just couldn't find it.

BADAWI I do have a picture of it. I can show you right now. I took it from the contractor, pretty much whatever is there. But if you have suggestions regarding the color, we can actually change the color. There's no trouble with that. We want to make sure that whatever we're pretty much putting on our property does not create an eyesore, because by the end of the day, we're living in a city, we have to make a very much harmonic scene. You don't want it to be something odd.

COPPOLA All right.

BADAWI I'm willing to bring the [inaudible] back. It's actually vinyl, the same thing as one of the neighbors on the street have it. However, the color was more of a clay color, but we can change the color to like [inaudible].

COPPOLA Okay. Questions for the Petitioner?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Thank you. When you were considering your fence, did you... obviously you're looking at a six-foot privacy fence. Did you consider smaller fences like maybe a four-foot fence, something that's not quite as intrusive as a privacy fence?

BADAWI I actually asked the City what is the limit, and I just went to the limit. I didn't like look into any alternatives. If there's anything, we have to lower it. I'm more than happy to pretty much work with that. But I think that we can't very much keep it, keep him safe, just because he is very much 15 and he's still growing, so he can jump, he can climb, and I really don't want to deal with that, just to be honest with you.

BARINGHAUS In terms of your hardship, you indicated that your son has a tendency to wander, be attracted to traffic, and I'm curious why you picked that site for your home when you have alternatives to quieter, less busier streets.

BADAWI So during the time that we were suggesting to move, that was the only available property available based on the location for the school, as well as based on the property with the spaces indoors and outdoors. So this is the only reason why we went with that particular property.

BARINGHAUS And just for my clarification, you didn't have any conversations with neighbors who installed privacy fence to get some ideas or guidelines from them or their experiences?

BADAWI No, to be honest with you, I just I thought maybe everyone have a different reasoning. Therefore, that's why I came directly to the City Department of Engineering and asked them, what I can do, what had to be done, what's not to be done, just to make sure we're doing it properly without any situations.

BARINGHAUS And then, who's going to be installing your fence?

BADAWI It's actually Home Depot. They have partnered with one of their companies.

BARINGHAUS It'd be purchased through Home Depot, with one of their installers. Okay, very good.

BADAWI So they're licensed very much [inaudible].

BARINGHAUS When did you anticipate starting the project?

BADAWI We have not started anything yet. We're just going to have things on hold until [inaudible].

BARINGHAUS Ideally, you'd want to have it finished by...?

BADAWI I mean, we have to be--

BARINGHAUS As soon as possible.

BADAWI It was really supposed to be summertime, because we can....

BARINGHAUS Summertime. Very good. Okay, thank you.

MEAGHER Mr. Chair.

COPPOLA Mr. Meagher.

MEAGHER Question for the Petitioner. I totally understand where you're at with your son. The question that I have is, from a noise perspective, what's the difference between a four-foot chain-link and a six-foot vinyl if he... your application said an adult must be present at all times with him.

BADAWI Yes.

MEAGHER So in that case, would the height matter? Or is it more...?

BADAWI The height do[es] matter when it comes to him. Because if it was, like, five foot or four foot, pretty much give him a couple of months to a year or so, he's gonna be taller. He'll be able to, kind of like, climb over it and jump six foot, pretty much, like the ideal high, even higher than an adult, as concerning myself as a high five. That's the one thing. The other thing, I don't want to be, pretty much be able to put a stool or something and just be looking over the neighbor's house, this [inaudible] create also some sort of privacy and respect for our neighbors as well. And I don't want him to be able to have a tendency to look into the street and then, after a bit, he will be able to go ahead and jump, because it's just easy for him to kind of like push and go forward.

MEAGHER Yeah, I think my question is more, if an adult was with him at all times, wouldn't the adult be able to see if he's going to grab a stool to jump over?

BADAWI There's supposed to be an adult around all the time, outside, absolutely. But again, whatever was the limit, we just went with the limit approval.

MEAGHER Thank you.

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Following up on Mr. Meagher's question, two gates on the property? Is what you're proposing?

BADAWI Yes.

BARINGHAUS One gate is on your house, and then the second gate is on Farmington?

BADAWI Yes, we have to have two gates because there's also the other garden. Have to pretty much to go outside to cut the grass. However, the locks ha[ve] to be in with us, and the locks will be with us. So pretty much, the child will not have access to it unless whoever is cutting the lawns.

BARINGHAUS So you plan to keep on Farmington locked at all times?

BADAWI Yeah, we have to lock at all times.

BARINGHAUS Okay. Thank you.

COPPOLA Mr. Testa.

TESTA Thank you, Mr. Chair. Question for the Petitioner. Why did you select vinyl? So right now there's two fences on Farmington in that subdivision, the first and the second house in coming north has a wooden fence. Can't remember if it was cedar or not, but he's stained it kind of a dark, dark wood. Kind of blends in a little bit better with trees, so to

speaking, or with the surrounding areas. The white vinyl kind of stands out. I do understand the neighbor on the corner south of you put that in. Would you be open to doing something that doesn't stand out as much?

BADAWI [Inaudible] about, pretty much a vinyl having more land consistency than a living one? This is what I read about. This is what I was being suggested by. Like, if you want to put wood or vinyl, it's better to invest in a vinyl because it's more efficient.

TESTA And right now you have the split rail fence there, and some landscaping. Obviously, the split rail fence will come out. The landscaping will need to come out as well because the fence is going to go there?

BADAWI Yes, I was also given an advice that pretty much, that the Board might ask to pretty much the same language as to where the fence has to be. So we have to do that as well. And that small section, which is, I think three feet or less, I'm not sure, particularly, we have to do some total landscaping. Or you suggested both pebbles, whatever the Board suggests, we're more than happy to work with that.

TESTA Yeah, that's exactly where I was going with it. If you could move that fence, and it looks like on your plans, is it two and a half feet? Would you be willing to go in a little bit more than two and a half feet?

BADAWI What is the suggested amount? I wasn't sure.

TESTA I'd like to see at least three, maybe even up to like five feet further would be better just to give more clearance on that side for when you do need to do landscaping and the concrete needs to be fixed or redone on that side, or just people walking there, so close to the sidewalk, it kind of feels like you're boxed in, sort of.

BADAWI Okay. Got it. So do you want to do it at the same like the other neighbors down the street or a little bit in?

TESTA Yeah, I think I saw your neighbor's two and a half feet. I can't. I'm trying to call up your plan here real quick. What you had on the plan. One second.

BADAWI Upon the installation, I'll make sure that I tell the contractor to do it in same length as the other neighbors so it doesn't feel off.

TESTA Yeah, actually, from the plan that he submitted, it shows it right on the property line. So I would not be in support of that. I would be open to something further in. Since you're pulling all that landscaping out anyway, you wouldn't have any problems moving it further in, correct?

BADAWI There's no problems at all. But again, just want to make sure that we're clear. You want to do it in the same level length as the other two fences, like the people on the corner and the other one? Or a little bit inward?

TESTA I would like to go a little bit more inward. I think your other two neighbors are slightly different dimensions. The first neighbor with the wood fence, his fence went in first before he got approval. So I think there's only about a foot and a half distance. The second, the

white fence came in, got the variance before they put the fence in, and I think we required them to put it two and a half feet in. I would like it to go at least that, if not maybe slightly longer.

BADAWI Yeah, whatever you guys suggest. [Inaudible]

TESTA Thank you.

COPPOLA Any other questions for the Petitioner? Vice Chair Baringhaus, do you have something else?

BARINGHAUS Hold that thought. Yes, I do. I need to get back with you.

MEAGHER Mr. Chair. I don't have any questions to the Petitioner or to Mr. Fisher, but doesn't HOA still exist in Francavilla? Or was that?

COPPOLA No. There's not a formal HOA.

MEAGHER There's no formal HOA. Good.

COPPOLA I lived there twenty years. There's no formal HOA. Vice Chair Baringhaus.

BARINGHAUS Yeah, I'll ask this question just to get it on the table. Do you have plans for any types of sheds or other accessory structures in your backyard, after the fence is installed?

BADAWI Not likely. Just because he ha[s] to run, he ha[s] to release that steam.

BARINGHAUS Okay. Very good. Thank you.

BADAWI We're not planning on any other building materials to be done.

BARINGHAUS Okay. Thank you.

COPPOLA All right. Anything else?

TESTA Sorry, Mr. Chairman, one more question?

COPPOLA Yes, please.

TESTA To the north and south of you, your neighbors. Is there a chain-link fence between the homes, or there's no fence there currently?

BADAWI There isn't one.

TESTA No fence. No split rail either, correct?

BADAWI No.

TESTA Okay.

BADAWI They just have very much, on the right side I guess they just have some sort of... it does not call this a fence, nor privacy, just more of like, because they have plants or whatever. But it does not count as an actual fence.

TESTA Okay.

BADAWI But we do have the borders done like it's very much it's in their set, and we talked to them about it, and they were very much aware of that situation.

TESTA Okay. And you.... I understand the reasoning for the fence on the Farmington side. What about other three sides here: north, south, and then west side? Do you really need a six-foot privacy fence on those other sides?

BADAWI Just because we already decided to have a six so just we went to the whatever the maximum we are allowed to have. I did not like want to go to the maximum, but if this is like, whatever the maximums are allowed. So one side of our neighbors, they do have, it says whirlpool. It's more of like jacuzzi, some sort of. They do keep it closed. They do maintain it. But I don't want my son, whenever they open it, he will jump into it. I mean, water boundaries, cars, it's hazard. And I don't want very much to put stress on our neighbors. At the end of the day, they approved this, and they were supportive in this decision, and they respect the fact that our son pretty much is wandering around. So at the same time, I want to give them their own privacy as well and just boundaries that they deserve to have, especially whenever they sit outside, during whatever time they decide. I don't want them to be feeling as if, like, "Oh, we have to give them space because he has special needs," and that's just kind of like, it just doesn't work this way. So I wanted to have their boundaries respected and the other neighbors respected and just live there.

TESTA Okay. Thank you.

COPPOLA All right. Anything else? Seeing, none. You can have a seat for a moment. Just take a little step away. I'm going to go ahead and open up the floor for any audience communications or statements. Specifically to this petition. Anybody? All right, seeing none. Do we have any correspondence?

KLISZ No letters.

COPPOLA No letters. Okay. Just, you can step up real quick. I'll give you an opportunity. Generally, we have correspondence and letters and stuff, and you get an opportunity to kind of respond to that. But if you'd like to make a closing statement before we go to a Board decision, we welcome you to do that now.

BADAWI As I said previously, I would really appreciate, Your Honor, that all of you looking at it in a kind of support for kids with special needs. Approval is really important to us before we do anything, we make sure that we go through the law, and this is what it did in the first place, before taking anyone's decision. Therefore, it really helps my family, it helps the kid, it really supports them, and it shows how much Your Honor, the City accepts an individual with special needs. That's all I have to say.

COPPOLA All right. Thank you. Go ahead and have a seat. I'm going to close the public portion of the case and start the Board's comments with Ms. Hakala.

HAKALA Start us off. First of all, thank you for coming. I would support this. The one thing I would disagree with Mr. Testa is on the distance from the sidewalk. I'd rather see it where the split rail is now, so that it is being paved with a full all go across Farmington Road, the same spacing there. Besides that, thank you for coming to us before building a fence. And that's all I have.

COPPOLA All right, thank you. Mr. Testa.

TESTA Thank you, Mr. Chair. I can appreciate the situation you're in. My daughter is special needs as well. She's graduating from Franklin this year. So you've come to the right school district, they're a very good special ed program. I am in support of something, but I'm not sure we'll end up here tonight. I would prefer it's not a vinyl fence, but I won't be a no. If I'm the same boat, I'll switch to a yes on the vinyl so I won't make that the hill to die on. But I would prefer wood and more of a cedar look. I do think you need to maintain the same level of distance, that is, the final fence that we're in. I'm trying to look up here quickly. There's two and a half feet or three feet. I don't know what the split rail fences are. I think it's not quite that far, but maintaining some type of distance away from the sidewalk, I think, is ideal. And over time, we can kind of hold anyone else who comes forward to line up to those fences, but I do get Miss Hakala's point there about mismatching, but over time, I think it would work out. Thank you for responding on the north and south side, having kind of a hot tub next door would be problematic. I was going to push you to consider not having a six-foot fence on either one of those sides, but I can kind of understand and you also need to block his view to Farmington, so I can be in support of this, but we'll see where it leads with the other comments.

COPPOLA All right, thank you. Vice Chair Baringhaus.

BARINGHAUS Okay, thank you. In terms of the variance tonight, the thing that I guess I'm not clear on is what they're trying to build, because normally, with the variance package for a privacy fence, we have pretty detailed photos, dimensions, colors, things like that. That wasn't really present. So I don't have a good feel of how much that fence will impact the character of the neighborhood. And those photos should have been in the record prior to so we could have reviewed them before the meeting tonight. The other thing is, as Chairman Coppola indicated, there's an extensive history with fences being installed in the area, and the reason was, at one point that area that you're residing in was pretty much a green area, green belt area with no privacy fences present, a lot of vegetation. [Inaudible] The fence is very well landscaped. With the installation of first privacy fence, they began proliferating into the area. Since then, there's now three varying. They were supposed to be one color. They're varying colors. I'd like to see some clarification on the guidelines going forward. So based on that, I think we need more information on the specifics of this fence, location, color, types of materials before we move forward with the decision on the variance. So based on that, I would be in favor of tabling this so we can get additional information and clarification. Thank you.

COPPOLA Secretary Klisz.

KLISZ I agree with Mr. Baringhaus, I think this is one for tabling, because we definitely, looking back, and I'm happy that our Zoning Board Department gave us a lot of the old minutes to kind of follow what over the last five years that we've been looking at these projects on Farmington Road, and so, yes, I think color is important and material is important. And again, we [inaudible] as consistent as possible. Sounds like there's not consistency maybe

in material right now, but I guess it's still going to change. We kind of know that people are going to be coming forward with these. We want to make it look as uniform as it possibly can. So I think, based on that, tabling would be in order. We definitely want to see exactly what is going to be going up in terms of color and style and stuff like that. So I would be in favor of a tabling, but essentially, I would probably be in favor of it, because it is something that we've started to allow in this area.

COPPOLA

Okay. Thank you. Mr. Rotondo.

ROTONDO

Thank you. Obviously, as my colleagues have stated, I do believe there's a legitimate hardship here. Obviously, the privacy fence is a need of yours based on the safety of your disabled child being so close to Farmington Road. As for this setback, I'm okay with the two-and-a-half-foot setback. I think that matches what had previously been approved down that corridor, and that gives room for maintenance with your... whatever landscape you have, lawn mowing, and also pedestrian traffic coming up and down there, and consistency as well. And then I think the neighbors' approval is important. Obviously you have both of those neighbors have signed and agreed to vinyl six-foot fence. I'm okay with that. Obviously, my colleagues have stated they wanted it tabled to get some more information regarding that, I would say, I guess I would propose that there's support for this to just make it so that this resident matches the existing white vinyl fences already on Farmington Road. And I'll leave it at that.

COPPOLA

Thank you. Mr. Meagher.

MEAGHER

Yes, without repeating everything that was just said, I think from a hardship standpoint, I understand one side of it with what your son has, and then on the other side, it's... you chose to live on... with Farmington backing up to it. I think that is weighing on me a little differently than other cases that we've had. I do agree with Mr. Baringhaus that having more detail. And then if we are going to talk about the distance from the sidewalk and all that, I think having that written and stated, it's hard for me to get around if an adult has to be with him, what's the difference of having a four-foot fence versus a six-foot fence? Literally just because of the green space that it once was, or if we're going to have a conversation about changing what the fencing rules are for moving forward, so that we don't have to deal with this for every single house that wants to have a variance. All that being said, I'd be open to tabling it with a condition that it would be possibly the next, if we're able to bump it to the next month, knowing that it's summer and being outside is a huge part of why there has to be the variance in the first place.

COPPOLA

Okay, so generally, for this, I think there's some details that would need to be hashed out prior to issuing a permit. And I do appreciate the hardship you have. I have a nephew that is similar to that, and they tend to run. When they run it's when you, when they know you're not watching. So I understand that there's a risk there, so.... Well, I understand even when you have people there, they know when you're not watching. They're very good at that. That said, I think, in a sense, we've already kind of opened Pandora's box on this street. And I think when we approved the property for 17608, we kind of set the standard. We talked about that when we did it, for those of you that were here, maybe not all of you were here, we kind of said, "We're going to approve this and we're going to set the standard. This is the color. This is the placement." The other part we have is in the sense of certain types of landscaping. That's to go in that open space. We set the standard on that. So, you know, at this point, the door is already open, and at this point, I think we just have to make sure that it's uniform and it looks good. So I appreciate that you like to see her better door. I mean, we already opened the

door, the one at the end, that's a whole different story. And we should, in my opinion, we should have never allowed that. And you can read the minutes, and I voted no on both of those, and I'll double no on this one too, to keep consistent. But I understand we already, you know, we've got to be fair and consistent with our citizens. We're doing something like this, and I think having a uniform, at some point, uniform, it will look a lot better than the hodge-podge of different things as you've driven other areas of Livonia and a lot in other areas, in other communities. So I'm fine with the tabling. I'm not sure that's necessary. I think we can provide enough conditions and an approval to ensure that that it becomes It's put up and done the way that we want it to be done. So I'll open the floor to whatever motion you want to put out.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Motion to table Appeal Case No. 2026-04-02, in order to obtain photographs of the proposed fence and also to further define guidelines for the installation of the fence that's consistent with properties in the area.

KLISZ Support.

COPPOLA Motion by Vice Chair Baringhaus. Was that you, Secretary Klisz? For a table. We normally don't have, oh well, we normally don't have discussion on this. Only thing is that she's already missed. They have already missed the petitioner deadline, which was yesterday, to get on the June meeting. So if that petition, which you got notice issues and other things, it's going to make it very hard for her. They can't get any problem until July seventh. Just so you know the impact to the Petitioner on that. So I'll go ahead and open it up for a tabling motion.

ROTONDO Is there discussion?

COPPOLA Since I opened the door for discussion....

[Laughter]

ROTONDO For the sake of discussion, would anyone be in support of an approving motion in which the resident will have to when they get their permit to put the fence up, show the Building Department the materials they're using and building but essentially make sure that they're going to be matching the existing white vinyl?

COPPOLA Let me ask a question of Mr. Ramsden. How comfortable is the Inspection Department of kind of having that burden put onto them?

RAMSDEN So if there's a clear description of what the Board requests, whether it be a two-and-a-half-foot setback, whether it be a vinyl material, and what color we can approve the permit based on what the Board approves.

COPPOLA So let me give you a bit of a more specific question, one of the things is, we would want the fence to be the same design as the one that exists on the corner there at McNamara and Farmington. I think that's the one that's at....

RAMSDEN Is that a couple lots north of this Petitioner?

COPPOLA No, not that one.

RAMSDEN Okay.

COPPOLA That's a whole different story.

RAMSDEN Yes.

COPPOLA Although ideally, I think that one is similar.

RAMSDEN Okay.

TESTA It's not similar. It's a different color.

BARINGHAUS Different color, different setback.

COPPOLA Well, the setback is a whole other issue in other words.

BARINGHAUS Well, that's part of the package.

COPPOLA Well, that issue got approved.

BARINGHAUS With the setback.

COPPOLA No, that petition got approval without a variance.

BARINGHAUS I'll check that.

COPPOLA The one on the corner or the one--

BARINGHAUS No, the one, the first one down.

UNKNOWN The one on the corner?

BARINGHAUS Yes.

COPPOLA I've been working with the Inspection Department. The one to the north got issued a permit without getting a variance.

BARINGHAUS That's true. Yes, I agree with that.

COPPOLA And that is the issue we're trying to resolve. I thought it would be. So it's off-white, not white?

BARINGHAUS You have two white fences, and then the third one.

COPPOLA Well, I'm not talking about the third one, I'm talking about north of Vacri.

BARINGHAUS --in this fence--

COPPOLA I think it's white.

BARINGHAUS I don't know what the color is.

COPPOLA I think it's white, too. But then again, is putting the onus on the Inspection Department. Is it comfortable taking that level of responsibility?

RAMSDEN If the Board is clear on what is requested, and the address matched this address's material and setback or setback. Whatever the Board wish, we can issue that permit, if it's clear on today's minutes, what is requested by the Board. In color, in vinyl, and setback, we can issue it based on those criteria.

BARINGHAUS Any other discussion?

COPPOLA All right.

TESTA To Mr. Rotondo's point, I would be open to that. I think there's general agreement that we have enough votes to give them a variance, ultimately, for soaking through the details, I don't really see the benefits of waiting. I think we can tie them to the details, and for whatever reason they can't meet those then they can decide to either come back or figure out an alternative, but I would... I'm comfortable relying on Inspections to make sure that it meets the criteria we lay out.

COPPOLA So we have a motion on the table right now for a table. We can either vote on that or it can be withdrawn. So I'll ask the last person that put the motion, Vice Chair—

BARINGHAUS I'll withdraw.

COPPOLA Withdraw? Okay. So then the table's back open for a motion.

ROTONDO Mr. Chair? Resolved that the variance sought in Appeal Case No. 2026-04-02, filed by Mahmoud Kaawar, be granted for the following reasons and findings of fact: the uniqueness requirement is met because of the closeness in proximity to a busy major road. Denial of the variance would have severe consequences for the Petitioner due to the safety of their children and family. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance, because of the neighbor authorization letters that have been provided. This property is classified for N-2 under the Master Plan, and the proposed variance is not inconsistent with this classification. Further, the variance would be granted with the following conditions: that the materials and setback match the existing fence at 17608 Vacri.

COPPOLA One... did you say...?

KLISZ 17608 Vacri.

COPPOLA Okay, that's correct. I thought I heard specifically [inaudible].

KLISZ The other petitions?

ROTONDO It wouldn't be [inaudible]. They have to present it, so?

COPPOLA Right.

ROTONDO So that's it, unless anyone has anything to add.

COPPOLA Secretary Klisz. Now it's discussion. So let's, I would suggest that we... the conditions be broken out. So number one is, it has to be two and a half feet from the property line, which should be basically the, I think it's the sidewalk, basically the property line. Number two, material, color, need to match what was presented and approved. On Appeal. Case Number.... Sorry for being specific, but [inaudible]. Appeal Case No. 2022-05-13 and that's 17608 Vacri Lane – Vacri.

BARINGHAUS I'm sorry, what's the case number on that?

COPPOLA 2022.

BARINGHAUS 2022 dash 05.

COPPOLA Dash 13.

BARINGHAUS 13.

COPPOLA Right.

BARINGHAUS Okay.

COPPOLA And in addition, and because this is also required that there be suitable vegetation planted along the Farmington Road side and maintaining living foliage upon the Farmington-facing fence, so that within one year, there's 20 to 50% coverage, and year two and thereafter 75% coverage. And that was part of the approval. That was part of the approval of the brown fence down the road. For this one?

KLISZ No, you mentioned....

COPPOLA Yeah. Don't worry about the other one. Yeah, we're going to use the case I just-- represent that is going to be the standard bearer for all other cases along Vacri.

MEAGHER Mr. Chair. I have a comment, and I don't mean to have more conditions, but looking up element reserve rail fencing, there's... which is what is written in the planning document from Home Depot. Looking at pictures, there's two different types. One has a top rail and a bottom rail, and then another one has a rail in the middle for the safety. I don't know if that matches what's at that other--

COPPOLA The element rail does not match what's at McNamara.

MEAGHER Okay. I'm just referring back to the last case that we approved with a child with autism, that we made sure that the fencing, if it had rail, it was on the outer side, so that it couldn't be so that the board can... use it as a step up.

COPPOLA Yeah.

MEAGHER More as a safety condition.

COPPOLA Yeah, so she'll have to match. I don't think the one... that did not have rail, it was just a panel, whole panel. Actually someone could run through [inaudible]. So once you... is there any other conditions or any other discussion?

MEAGHER Mr. Chair, I do have one more for—

COPPOLA Sure.

MEAGHER --the sake of consistency is decorations.

COPPOLA Ahh. Thank you for reminding me. No decorations on the Farmington-facing fence. Thank you. That's my pet peeve. So I should have remembered that. Any other discussion?

BARINGHAUS Yeah, just one moment.

TESTA Mr. Chairman, I have a question. Grass would not be permissible?

COPPOLA Grass could be permissible, but it still needs to be Polish or as we said. What did we say again? Plantings?

TESTA Okay.

COPPOLA Let's put it this way, grass is not sufficient to meet.

TESTA Gotcha. [Inaudible] Thank you.

BARINGHAUS Mr. Chairman.

COPPOLA Yes.

BARINGHAUS Seems like the fence in Appeal Case 2021-05-20, which was the first fence, had the same vegetation, they should all be consistent.

COPPOLA Right.

BARINGHAUS Just starting after the fence.

COPPOLA We actually copied that from where I did the standard bearing.

BARINGHAUS So if I might understand all three existing fences in that area conform to that guideline?

COPPOLA No, because the one to the north didn't come before us for a variance. Received its permit without getting a variance. So there are no conditions.

BARINGHAUS So that house was built on the property line?

COPPOLA Correct, and it's in the process of trying to be resolved.

BARINGHAUS Okay, fair enough.

COPPOLA It's the last thing they do. It's in the process of being resolved. Okay. Can you {inaudible] the line. Can you read me back the conditions and make sure?

KLISZ All right. We still have the materials and setback that match 17608.

COPPOLA I think we covered it out. Yeah, we covered that with the others.

KLISZ Specific 2.5 feet from the property line.

COPPOLA Correct.

KLISZ Suitable vegetation be planted at the Farmington side. 25% coverage within one year. 75% within two years. No decorations on the Farmington side.

COPPOLA You're missing one. Materials.

BARINGHAUS Material and color.

COPPOLA Material and color need to match. I gave a specific case 2022-05-13.

KLISZ Twenty....

COPPOLA Two oh two two.

KLISZ Two two.

COPPOLA Dash oh five.

KLISZ Oh five.

COPPOLA Dash one three. The property is 17608 Vacri.

KLISZ Okay. Got it.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Do we need to reference that based on Inspection Department approval, that the guidelines are not...?

KLISZ Just say "Inspection Department show."

COPPOLA I think that's.... Mr. Ramsden. You won't issue a permit unless they meet the conditions, correct?

RAMSDEN Correct.

COPPOLA So that would be, yeah, [inaudible].

BARINGHAUS So do we mention the Inspection Department or your name directly?

Laughter.

COPPOLA [inaudible] The only reason they'd go looking for Harry is because they know

RAMSDEN That's right.

BARINGHAUS I can help you.

COPPOLA Okay.

KLISZ We're good?

COPPOLA I think so. Why don't you go through the conditions one more time. I'm sorry, Mr. Fisher.

FISHER I was gonna say precisely that.

COPPOLA Okay, to make sure we're all—

KLISZ One more time?

COPPOLA Go ahead.

KLISZ 2.5 feet from the property line. That the material and color--

COPPOLA Wait, make sure you're specific in the sense that it's the Farmington... Farmington Road-facing.

KLISZ On Farmington?

COPPOLA Yeah. Okay. They go property line,

KLISZ Material and color need to match the case 2022-05-13, known as 17608 Vacri Lane, that suitable vegetation be planted on the Farmington Road side. 25% coverage within a year, 75% coverage within two years, and no decorations on the Farmington Road side.

COPPOLA Okay. Everybody good and square on this? All right, you can go ahead and take roll.

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

RESOLVED: APPEAL CASE NO. 2026-04-02, 17878 Vacri Lane: an appeal was made to the Zoning Board of Appeals by Mahmoud Kaawar, seeking to erect a six-foot-tall vinyl privacy fence to enclose the rear yard of a double frontage lot resulting in a fence erected in the required rear yard setback for a fence on a double frontage lot.

Setback

Required: 30 feet

Proposed: 0 feet

Deficient: 30 feet

This Low Density Residential property is located on the east side of Vacri (17878), between McNamara Drive and Myron Drive, Lot. No. 036-02-0166-000, N-2, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 A.3.

ROLL CALL VOTE

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

NAYS: Coppola

ABSENT: None

PASS/FAIL/TABLED: PASS: PASS

KLISZ	Ms. Hakala.
HAKALA	Support. Aye. Yes.
KLISZ	Mr. Meagher.
MEAGHER	Aye.
KLISZ	Mr. Rotondo.
ROTONDO	Aye.
KLISZ	Mr. Testa.
TESTA	Aye.
KLISZ	Secretary Klisz votes aye. Vice Chairman Baringhaus.
BARINGHAUS	Aye.
KLISZ	And Chairman Coppola.
COPPOLA	Nay.
KLISZ	Passes six to one.

COPPOLA All right, step forward real quick. I just want to make sure. Yeah. I just want to make sure she understands. So... we want to waive the waiting period?

KLISZ Sure.

COPPOLA Everybody okay?

TESTA I'll agree.

KLISZ I'll add that.

COPPOLA So you can pick up a permit as early as tomorrow, but there's conditions to it, so that you have to probably work with your fence people and the Inspection Department can provide you if you need what was approved on the other case. And what we're asking is: you need to move it two and a half feet on the Farmington Road side only, in towards your property, so that there's a little bit of green space there, so the fence is not right on top of the sidewalk. And I'll tell you something you'll appreciate it over time, because when it's closer to the sidewalk, kids will kick it and they will punch it, and they will.... This may make them work harder, maybe they'll be too lazy to do it. So that has to be two and a half feet from the sidewalk. And that will, of course, that will match up with the person that's on the corner where you come in at McNamara. That's going to match up, the same distance will match up. The fence will have to be as close and similar as possible, if not matching to that. So it has to be white, has to be the same design. So you can work with the Inspection Department to help you figure that out. And you're going to figure it out with Home Depot. The one thing about no decoration. So on the Farmington, on the public side, no decorations, no Christmas lights, no.... Just leave it plain. Like when you drive in on McNamara, into the subdivision off of Farmington, you'll see that big wreath. I don't want to see a big wreath. No big wreaths, nothing on that side, nothing hanging on the fence on that side. You're also going to be required to landscape that two-and-a-half-foot section so that it looks a little more natural. You can put shrubs, bushes, whatever you like to do, but it needs to be somewhat landscaped.

BADAWI [Inaudible] Must be flat.

COPPOLA Well, you could put pebbles, but you still have to have... you can have shrubs and pebbles. You don't want to cut the grass or keep mulching or something like that, but you still have to have.... You can put rose bushes if you want to, or box woods or something that at least greens it up a little bit.

BADAWI Is it possible [inaudible] proper.

COPPOLA Yeah.

BADAWI [Inaudible] in my subdivision they fall through.

COPPOLA Okay, so, you might want to.... And neither of the variances are actually probably in compliance of our requirement. They have at least given it an effort. So you may want to look and see what they did, the one that's on McNamara, and the one all the way, almost to the end, towards the gas station.

BADAWI All right.

COPPOLA So take a look. You'll see that, I think one of them put in, not day lilies, I forget the name of... they put bulbs in, and they come up every year. They flower for a while, and they—

[Inaudible]

COPPOLA Yeah. Something like that.

BADAWI Okay.

COPPOLA Okay but work with the Inspection Department to help you get things figured out. But the color and the style have to match, and it has to be two and a half feet off [inaudible].

BADAWI When it comes to the permit, very much. I have to reach out to the contractors at Home Depot. They're the one who suggested that they have to pull it up just because they need to call.

COPPOLA Well, when they come and pull the permit, they'll be told.

BADAWI This information?

COPPOLA They'll be told that this is what they have to do.

BADAWI They'll be required to see. They asked me, actually, that I got your guys' approval. They said there [has] to be some sort of document. I have to send it to them to prove to them, that I--

COPPOLA You'll get that from the Inspection Department.

BADAWI Okay.

COPPOLA You'll basically tell them, yeah, they can go pull you can now go pull the permit.

BADAWI [Inaudible] I just want to make sure that when I come I'll be able to get some documentation, prove it to them. I don't want to be pulling the permit and they have--

COPPOLA Yeah, you'll work it out with the Inspection. I'm not sure what they can give you, but there might be some documentation, or they can reach out.

FISHER Well, just this variance letter will probably do the job.

COPPOLA Yeah, right. That might not be ready for a couple, a few days, but if that's what you want, you'll have to wait a little bit of time. They [inaudible], that's true, but they can also call the Inspection Department and they'll tell them that it's been approved, so. Okay?

BADAWI All right.

COPPOLA

All right, good luck. Thank you.

BADAWI
everything.

Thank you so much. For... I just ask the department for the colors and

COPPOLA
that.

Yes, check with the Inspection Department, they'll give you guidance on

BADAWI

All right. Thank you so much.

COPPOLA

Thank you. Call the next case, please.

APPEAL CASE NO. 2026-04-03, 19384 Hillcrest: an appeal was made to the Zoning Board of Appeals by Nikki Michalski, seeking to erect a 5-to-6-foot-tall privacy fence, resulting in a privacy fence erected in the side yard toward the front of the lot beyond the rear plane of the house, which is prohibited.

This Low Density Residential property is located on the east side of Hillcrest (19384), between Seven Mile Road and Haldane Street, Lot. No. 007-99-0089-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 B.

COPPOLA All right. Thank you very much. Anything to add, Mr. Ramsden? Mr. Ramsden, anything you'd like to add?

RAMSDEN Yeah, upon visiting this residence on Hillcrest, currently on the south fence that is there currently, which is not part of the proposed plan, is a sight-obscuring chain-link fence. What was proposed is just the front of the house, the west line.

COPPOLA Right. I think in what you submit in the site plan, it's the part that is highlighted in yellow.

RAMSDEN Thank you.

COPPOLA Any questions for Mr. Ramsden? Seeing none. The Petitioner could step forward to the podium, please.

TESTA Sorry, Mr. Chair? [Inaudible] question?

COPPOLA Yes, you may.

TESTA Is the only reason they're here today is because of where the fence is on the side here? It's going to come to the front of the house?

RAMSDEN What was proposed is just the west line be a sight-obscuring privacy forward of the rear corner. So they want it in the front corner of their home.

TESTA Okay. If they put it in the rear, we wouldn't be here, correct?

RAMSDEN That's correct.

TESTA Okay.

COPPOLA All right. Thank you. I can get your name and address.

MICHALSKI Hi, hello. I'm Nicholina, or Nikki, Michalski, and my address is 19384 Hillcrest Street.

COPPOLA All right, Mrs. Michalski. We've all, I believe, read your application, understand the issue. Why don't you just give us just a brief, for the record, brief summary of basically, of the hardship that would help us to decide whether to provide a variance or not.

MICHALSKI I unfortunately had the... my fence blew down. Really rotting and the winds in January, and I was faced with having to replace this fence because of it being wood and being deteriorated and at least over 40 years old. I sought the insight of the Zippy Fence here, and what we were doing is, I wanted to create a fence to replace that and also improve the aesthetics of the property. It's a 1958 ranch that I've loved and dearly improved upon since my 13 years there. It's a mid-century modern and in going with replacing the fence, instead of doing something still the same, it was an opportunity for me to aesthetically go with a design that lends itself to the mid-century modern look, as well as providing. I have a lot of deer there and constantly trying to fight them off, picking up their excrement all over the place. And although I love wildlife, and it's nice to see them around, there's just so many of them that it's hard and difficult to control the fact that they hop over, they eat, and provide hardship, in a sense, for myself and my dog constantly being worried about disease and ticks and all that kind of stuff. But anyway, the proposal for the fence that I'm looking at is currently at four feet on the ground. I wanted to go to five feet, providing just a little bit extra to helpfully hope-- help prevent the deer from hopping over the fence. because on the south side of the house where it's at it dips down. The area there, the top of the fence would remain level, but to compensate for the level of the land going down, the area on the end would actually be six feet, not because it would go up, it's because it would go down to compensate for the hill that kind of goes down. And I think I outlined that in my proposal here. Currently, there's a current view of the broken and tied up fence, and at the end, like the next picture, the proposed fence drawing with top level allowing for the slope of the property, so there would be compensation for that, so it would look very uniform. So going forward, I sought, you know, the approval of my neighbors, and they've agreed with my intention to create and put in a new fence that aesthetically looks good that would add to the property, and that's where I'm at.

COPPOLA Didn't see included in your application and package details in regards to material, color, and design.

MICHALSKI Oh, okay. The material is vinyl fence. And there is a proposed fence. I have an AI. It's an AI version. The color is adobe, which is a taupe color. And although you can't see the detail in my picture, the house in the middle has stone, thinly slate, I believe, stone, and it has those taupe colors in it. It matches that color, so it's rather than right now, it has a dark brown fence, and then light house, but the fence is an adobe color, and it's just lighter, and it just lightens the look, so it looks more streamlined, or at least it did on paper, and it looks very nice, and that's something that I thought would be very good. Also on each side of the house, the north and the south, because I have landscaping come in, there would be a six-foot-wide fence on each side, allowing the landscaping crews or whoever, to come in and out. And then Torey is here. He's from Zippy Fence, and so he can answer any of the technicalities that I might not be able to do.

COPPOLA So there's actual, there was an actual fence design color and all that exists.

MICHALSKI
Yeah.

COPPOLA It could have been shared with us on spec sheet that had all that.

MICHALSKI Yeah, I wasn't aware of that. I think I went over and above in terms of describing some of these answers here, but that specifically wasn't asked, but I thought I reflected it in the pictures and in the design.

COPPOLA Okay. I've driven through the neighborhood, and there are other, taller fences in the neighborhood, but they all sit to the back corner and comply with... comply currently with the ordinance. Why, is there any reason why you can't just comply with the ordinance? In other words, take down the fence where it is. Put, just comply, start at the back of the house and close it that way?

MICHALSKI Because I purchased the house 13 years ago. This house was built in 1958. This fence based on talking to people in the fencing industry and who knows things, this fence is at least 40 years old, and so it was there at least 40 years ago, and the design of the property and the layout has been there based on that fence, and so it cannot be moved. I have a raised bed garden, and I have other arborvitaes on the side of the property that it would engage with, and on the north side of the property, I mean, I have a large oak tree. I have... the whole design of the layout of my property has been based on the fence being right where it was. So there have been several owners too, prior to myself that have lived there, and through inspections, nothing has come out that anything was.

COPPOLA Well, actually, right now the fence, it's not sight-obscuring. It's four foot. It's in compliance right now with the ordinance, so you can, you could replace that fence exactly as it is, or similar to that, with a non-sight-obscuring four-foot fence and keep that, but you're asking now for a variance.

MICHALSKI Yeah.

COPPOLA But a large five to six foot and it's.... You're asking to do something different.

MICHALSKI Yeah.

COPPOLA Than what's existed.

MICHALSKI Yeah, just to go for one foot more, okay? And the design of it is such that instead of the panels going vertically, that they would go horizontally, which is a slightly different design, but it complies with the design of my house, and it will aesthetically look good. I am set far back from my street, which does not have sidewalks. It's just a street. It doesn't obscure any kind of view from anything. There's no safety issues there. It's for aesthetics and my personal... safety of the property. I'm trying to, I thought an extra foot would help deter the deer, and hopefully it would. That's what I'm looking for. That's why I haven't gone with the same thing. I mean, how boring is that? I mean, I'm looking at a proof. I mean, I feel on my house and on my street in my area, I have one of the best houses, and it's that they're nice because I take care of it. I'm meticulous about how it's kept up. And this is an opportunity to not only just replace the fence, but aesthetically make my house a little bit nicer by putting in a fence that just is not a fence, but something that aesthetically goes very well with the home in the area. We-- I don't have a cookie cutter neighborhood either. There's many homes that are in disarray and have

junk and all kinds of things in it, and I wish they had a privacy fence and had all the junk behind it, but I live in that world. Anyway, that's my reason for bringing this forward. And....

COPPOLA Where's your... you said you had beds?

MICHALSKI I had what?

COPPOLA You said you had planting beds somewhere. Where are those located?

MICHALSKI I have three raised bark garden beds, and they're on the south side of the house, directly. I don't know how many feet.

COPPOLA I'm looking at an overhead. It's in front of the shed, am I correct?

MICHALSKI Yeah, it's in front of the shed, in between the shed and the fence and, yeah, just kind of in between my... there's a door that's access to my laundry room in the home, and it's kind of... the raised bed gardens are kind of in between the fence, which is the south property line, and my house.

COPPOLA Okay. And I see there's a large tree on the north side.

MICHALSKI Yes, correct. And there's, since I've been... a lot of landscaping done to the property line that I share with my neighbor on the north side. There's been a lot of property landscaping there that I've done as well.

COPPOLA Okay, questions for the Petitioner?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Yeah. Question for Mr. Ramsden, given the nature of this project, is neighbor approval required for the installation of this fence?

RAMSDEN Yes.

BARINGHAUS Because it's only on one side of the property?

RAMSDEN No, but the neighbors did send in approval letters.

BARINGHAUS Okay. But they don't need the formal city documentation?

RAMSDEN You are correct.

BARINGHAUS Okay. Very good. Thank you. Oh yeah, Mr. Chairman? Another one. You stated you wanted the fence in the same place due to your location, your garden, things like that.

MICHALSKI Yeah, yeah.

BARINGHAUS Have you considered moving it back to make it more in compliance in the ordinance?

MICHALSKI No, because, I mean aesthetically, that's my property line, and that's where my fence was. And yet, I have no idea to order. I had no concept or an idea of changing it where it's at. I was just trying to improve it because there's rotting wood and, you know, it was beyond getting fixed. I have bees nested in there as well, and I had been working for the past couple years on the fence just to... because of the fence door opening up back and forth with everyone, in terms of the landscapers going in and out, sometimes the balance was off and the lock had to be adjusted because of the settling of the wood. So that's what I had to deal with, with the fence until January, when it just blew over. So the fence was never a question of changing it or anything else on the property.

BARINGHAUS Who's installing the fence?

MICHALSKI The Zippy Fence.

BARINGHAUS Okay. Did your installer advise you of Livonia fence ordinance relative to the location of the fence to the rear of the house

MICHALSKI Torey investigated and put in the proposal for the fence.

BARINGHAUS But did he advise you of the specific ordinances regarding the placement of the fence and the rear plane of the house?

MICHALSKI I'm not sure. I mean, as it came up again, the appeal was rejected. That's when I found out.

BROWN May I speak?

MICHALSKI Yeah.

BROWN Yes.

COPPOLA If you could, name and address for the record.

BROWN Torey Brown, 2573 Andover. Trenton.

COPPOLA Thank you.

BROWN So we did have a discussion about that, and that's actually why we're here. So we knew that we would have to come for a variance. If we do set it back, we're asking the client to take away a large portion of her usable space for a backyard. She has a significant yard, and if you step that back 15 feet to the midpoint of the house, it takes away a significant portion. Also, we have the obstruction with the trees that are there, and then her gardens, her arborvitae, so that's why we're coming before you today.

BARINGHAUS Okay, thank you.

BROWN Also, the adobe color is, it's one of your main three colors that you use for a fence. You have your white, your tan, and then your darker adobe.

MICHALSKI The adobe color, by the way, too, is the same color as my shed in the backyard. So if anyone were to drive by and, "What is the color of the fence?" before it's up or anything, it's the same color as the shed, believe it or not.

ROTONDO Mr. Chair.

COPPOLA Mr. Rotondo.

ROTONDO Question for the Petitioner, so on your... so you're just proposing doing this fence on the west property, or west part of the property adjacent to the house. The backyard, the side yard, and backyard fences are going to stay the same?

MICHALSKI Yeah, it's presently a chain-link fence, and it's very functional. I put, because of the affordability at the time when I moved in, I would have loved to have the three sides of my yard, the south, the north and the east side. I would have loved to have a fence put in other than the chain-link that was there because I had a very childlike yard in the back with all kinds of toys and kids playing in the yard. So that was an area that, oh, wow, that would be nice to be covered. But my husband and I at the time, decided to put arborvitaes in. So we planted arborvitaes as a way of creating some privacy within the area, to give us some room between the neighbors. It is a point-five-acre lot, which... I don't have a deep backyard. It's more in the way of the length of the property. So that was economically what we could do and afford. So at the time, the wooden fence in front looked great, and it was great, and it functioned great. There was no question about it whatsoever.

ROTONDO So that existing chain-link, that's a four-foot chain-link fence?

MICHALSKI Yes.

ROTONDO So what made you want to do five feet just in the front, and then you're gonna have four feet on the side?

MICHALSKI Well, they don't, it doesn't really matter, because....

BROWN The deer.

MICHALSKI Yeah, it's for the deer. That's why it's like, well, we could go up five feet, maybe that extra foot would really help as a deterrent for the deer. I never thought about a fence, necessarily, in terms of footage. It's like, well, if we can go one foot higher, that would be the extra maybe, so that, because they come in from Hillcrest on the most part, and they jump that fence, they don't jump from the sides, nor the back very much, because of the arborvitaes that are surrounding the property and the landscaping as well. The front of the property where the four-foot fence currently is, there's no, there is no landscaping there, like arborvitaes or larger bushes to act as an additional deterrent. So going from four feet, it's like, well, let's see, let's go five feet. That was, that was the reasoning, not because I wanted to pay more, because obviously five feet is more expensive than the four feet, but if it acts as a deterrent and then I'm

not so concerned about the jump the fence being jumped by the deer and all of the excrement on the lawn. And, you know.

ROTONDO Yeah, I get where you're coming from. To be fair. I mean, I'd say a deer could probably jump over a five-foot fence too. I've seen them clear six-foot privacy fences before.

MICHALSKI Oh, my God.

ROTONDO And I understand your point. There's a big issue with the deer population in Livonia. I guess I take some concern with that south property line, though, because you see, you've got that [inaudible] where the swale is at.

MICHALSKI Yeah.

ROTONDO And you're gonna come straight across. You're saying there's gonna be six feet on corner, and then you're connecting to a four-foot chain link fence?

MICHALSKI Just on the very end. Yeah, there's some trees and foliage there too, but you can't really kind of catch on that winter picture, but it's an area where there's landscaping there that, I mean, there's not necessarily, I don't think that it's going to be aesthetically a deterrent there in terms of its look, because it's going to be straight across five feet, and so there's just a foot there that's higher than the four-foot link fence. It's just that the additional fencing will be down on the ground to compensate for the slope and the property.

ROTONDO I guess I'm not following. I would think it would be two feet. If you're saying it's going to be six at that corner there where it meets up with the chain-link fence in the [inaudible] is four feet.

MICHALSKI I said five because it's--

ROTONDO It's going to be five next to the house, right? And then it's going to come straight across. But since that grade drops, it's going to be six on that corner there.

MICHALSKI Yeah, yeah. But it would be....

ROTONDO Six connecting to four.

MICHALSKI Yeah, you'll see it on the bottom, right? yeah. It's not going to be six feet high. It will go straight across.

ROTONDO No, I get what you're saying. Yeah. The top of it will be straight.

MICHALSKI Yeah.

ROTONDO But the bottom, from where the bottom, I guess, when you get to the bottom of that swale, where that fence stops and that chain-link fence starts, right?

MICHALSKI Yeah.

ROTONDO That point there, you're gonna have a six-foot-tall vinyl fence, and then the four-foot chain-link fence.

MICHALSKI Yeah, that's my understanding. Yeah.

ROTONDO I'm all set.

COPPOLA Okay. Any other questions?

TESTA Yeah, Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question for the Petitioner. You explain the height of the fence is for deer?

MICHALSKI Yeah.

TESTA So I live, I back up to a park or into Holmes Middle School. I have a six-foot fence. My neighbor has a six-foot privacy fence. The deer are hopping all the time. I do have an apple tree, which is mainly why they're hopping. So I don't really think, as Mr. Rotondo indicated, a five-foot will help you with the deer. What's the need for the privacy portion of it? Couldn't you just go with.... You have a picket-style fence today. Why couldn't you just go with that same style, that's...?

MICHALSKI Because I like the way it goes horizontally. It looks much more modern, which goes with aesthetically my home, and not a picket fence.

TESTA Okay.

MICHALSKI Because picket fence is more traditional, in my mind's eye, colonial.

TESTA Okay.

MICHALSKI And so that's why I wanted to do it to go horizontal.

TESTA Are there any non-sight-obscuring fences that go horizontal that would meet your definition?

MICHALSKI I haven't seen a horizontal fence, actually, not around my area, most of them are vertically or vertical, but I liked this look in particular. As I mentioned in the front of my house, I have stone, stone within the design of the house that goes vertically, and it just with the brick, and it just looks very nice to lengthen the look of the house for it to go vertical. I looked a lot online, and looked at various fences, and spoke to Torey about specifically the design. And it's like, instead of going upright, can we go horizontal instead of vertical? And he says, "Yeah, we could do that." So it's... it's an aesthetic.

TESTA Yeah, maybe. Sorry, question to the fencer... sorry, Jordan Brown?

BROWN Torey.

TESTA Torey Brown.

BROWN Yes.

TESTA Do you have any non-sight-obscuring horizontal fences?

BROWN I mean, we could do a four foot.

TESTA Nothing five foot, then?

BROWN Like a semi-private?

TESTA Yeah.

BROWN Yes, we do offer that.

TESTA Okay. Would she still need a variance if it was non-sight-obscuring?

COPPOLA I think four-foot, yeah. Mr. Ramsden, four-foot [inaudible] to the house still requires a variance, correct?

RAMSDEN No, it's within compliance. If it's non-sight-obscuring and it's four feet in height.

COPPOLA Sight-obscuring.

RAMSDEN Oh, you are correct then.

TESTA Okay. So five-foot, non... non-sight-obscuring five-foot, would still need a variance.

RAMSDEN Correct.

TESTA Okay, four foot, I guess, yeah, if you have a four-foot horizontal that meets kind of the lines that you want, really, the five-foot is not going to do much for you on the deer side of things. It's going to hop over. I think that might be an easier path for you to go.

BROWN I mean, we'd ask for 10 feet if we could.

[Laughter]

BROWN No, we just figured five feet was... it was reasonable. You know, between us and the neighbors and the City and your ordinance.

TESTA Okay, and then kind of the setback or their rear yard. So, as we discussed earlier, the fence should be on the backside of the house. I understand the explanation is on the front side. Now, it's been like that forever. You want to kind of keep that line on the south side, I understand you have the shed, you have your planting bed, you have a tree there, so it would be hard to kind of move that fence all the way to the back. On the north

side, I think there might be room for compromise, unless I'm missing something from Google Maps. Looks like to your north Mrs. Bongero, who wrote a letter in support, her fence is set back maybe three to five feet from what I'm seeing on Google Maps. Would you be willing to match up your fence on the north side to her fencing? So instead of being stepped and jagged there, would you just, could you line up directly with hers?

MICHALSKI Yeah, I don't remember anything offhand, but yeah, that would be.... Do you have a picture of that? Just as a reminder.

TESTA There's nothing that looks like in the way that would allow you to move that back about three to five feet to be in line with her.

MICHALSKI The only thing is that I have a tree that is planted there.

TESTA A little further back than that, than her fence line.

MICHALSKI Her fence line is more west, or is it more east? I'm not remembering.

TESTA Yeah, it's close. Yeah, it looks like the pine trees are very close to that. And say maybe there's only two to three feet to match up to her fence. So instead of having a step.

MICHALSKI So it's a couple feet back from where my fence is right now?

TESTA Yes.

MICHALSKI Is that it?

TESTA Yes.

MICHALSKI Okay. I'm not sure if it will interfere with the tree or not. That's the only thing.

BROWN Which should be fine. That's not a significant difference.

MICHALSKI But I mean aesthetically, I mean having everything with my house equal on both sides, wouldn't that be?

BROWN So there is a gas meter that's three feet off the front of the house. I can't tell exactly what this distance is, but if we could go right behind that, that wouldn't create any issues.

MICHALSKI The tree, the tree is right here.

BROWN He's talking about the north side.

MICHALSKI Oh, okay.

TESTA The gas meter is on the north side?

BROWN Yes.

TESTA So currently, somebody has to come up to read it. They have to go around the fence. It's behind the fence, right?

BROWN Yeah, I'm not sure if it's wireless or I don't know how they do it in Livonia.

TESTA Your idea. You think it might be if we line it up with the house and the [inaudible]. You think that meter is now still behind it, or is it gonna be in front of it?

BROWN It would be close.

TESTA Okay. Your point being, it might interfere with lining up the fences.

BROWN Yes, that's very possible. I can get measurements for you.

TESTA Okay. All right, thank you, Mr. Chair.

COPPOLA Anything else?

MEAGHER Mr. Chair, question for the Petitioner.

COPPOLA Mr. Meagher.

MEAGHER Ma'am, did you, have you done anything else outside of just looking at a fence? Have you thought about arborvitaes or other deterrents for deer, or even, have you talked to anybody at the City about the deer problem?

MICHALSKI No, I just hear talk amongst the neighbors in terms of deer and things that people hear, you know, hear about them doing nothing or not doing something, or whatever. But no. Planting more arborvitaes wasn't part of the plan to bring that forward because of the other trees involved, and also I'm having to replace arborvitaes and at the cost of arborvitaes, it's like, oh, if I knew then what I know now, maybe I should have put a fence because of the arborvitaes. They don't last very long, and I've had some soil issues, and right now in back I have to replace four of them, and at six feet to seven feet a pop to match them all up, it gets to be pretty expensive, so I didn't go along that line. I need a fence [inaudible] just....

MEAGHER I guess I was more asking in reference to what you were saying earlier, is that the back three....

MICHALSKI Yeah.

MEAGHER That the arborvitaes you said were a deterrent for the deer to jump over.

MICHALSKI Yeah, in the back, obviously, and for the kids not to come over. Things to get thrown over my property.

MEAGHER Okay.

MICHALSKI Yeah. It was mainly around the three sides of the house that we did that, and that's kind of where we left it off.

COPPOLA Any other questions?

BARINGHAUS Yeah, Mr. Chair.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Can you tell me how many privacy fences exist in your neighborhood today?

MICHALSKI One, two, three on my street that I know of. Three on my street, and then in the neighborhood, there's probably about, I don't know, probably about three others that I can recall. Is there more than that? My neighbor here, she walks more than I do, obviously. But anyway, yeah, there are other privacy fences there, yeah. And you know the nature of our neighborhood too. It's not a cookie cutter neighborhood. It's not like areas of... like I grew up in Fairway Farms at Five Mile and Levan. Those are smaller properties. You know, a lot of the homes look alike, but they have different landscaping and all of that. But there's other neighborhoods that look very similar and have smaller properties. We have a larger property. We have different ages of home, different styles of homes, and it all seems to work out good. I wish some of the homes would take better care of them, but that [inaudible].

BARINGHAUS [Inaudible] the three or four homes in your neighborhood that have privacy fences. How many of those fences come to the front of their homes like you're proposing today?

MICHALSKI On my street?

BARINGHAUS On your street.

MICHALSKI I don't believe any of them do.

BARINGHAUS Okay. Thank you.

MICHALSKI Yeah, and that point being that we're all different homes, and they were erected at different times, and it contributes to the diversity of the neighborhood and their looks.

COPPOLA Okay, any other questions for the Petitioner? Okay, you can go ahead and have a seat for a moment. Please. Anybody in the audience would like to speak for or against this petition? Please step forward.

MICHALSKI Do you want to speak for me? [Inaudible] Yeah.

COPPOLA Have a seat for a minute.

MICHALSKI Yeah.

COPPOLA Okay, thank you. So is there any correspondence?

KLISZ There is, there's a letter of approval from Stephanie Wilkerson—

COPPOLA Don't go too far.

KLISZ --19351 Hillcrest, Livonia, (letter of approval was read).

COPPOLA Mrs. Michalski, you have an opportunity to make a closing statement if you'd like.

MICHALSKI Oh, I'm sorry.

COPPOLA No worries. That's why I told you not to go too far.

MICHALSKI Anyway. I believe I've given enough detail and insight to my property and what I'm looking to do here. I'm a homeowner trying to keep a very lovely home and to keep it updated and maintained for my safety and my dogs and the aesthetics of the neighborhood, and I would hope that my fence would deter deer. But there's no guarantees. So anyway, I accept, I appreciate your opportunity to hear me out here, and I look forward to favorable fence decision. So that's all. Thank you. Pardon?

AUDIENCE MEMBER Is it too late for me to come up and talk?

MICHALSKI Can she come up?

COPPOLA We've already closed the public portion. Sorry.

AUDIENCE MEMBER Okay.

COPPOLA All right. Closed the public portion of the case. I'm gonna start the Board's comments with Mr. Meagher.

MEAGHER Yeah, we have four criteria to decide how we give variances. I just cannot get past deer being the main concern. Mr. Testa was saying six-foot fences are jump... deer can jump up to eight feet. That's why there's high fences. Also, deer in Livonia is a problem. So it's very hard for me to get past how a five-foot fence next to a four-foot fence would deter a deer. So I'd be willing to agree with anybody else, but I think at this point, I just have a hard time giving support of this variance.

COPPOLA All right. Thank you. Mr. Rotondo.

ROTONDO Thank you, Mr. Chair. Thank you to Mrs. Michalski for all the information and details. I'm gonna echo a similar statement to Commissioner Meagher. I am having trouble seeing where there's a hardship here on this particular case, so I'm going to be... I'm not going to be in favor of a variance. Thank you.

COPPOLA All right, thank you. Secretary Klisz.

KLISZ I'm actually taking a different task. I'm looking at it is that it already existed in this location, so it's not something new. This is a new fence out of nowhere that would be a little bit different, but it's only one foot taller than the four foot that's currently in place and

moving it back, there would be some hardships with that, including the shed and the garden and stuff like that. So based on those things, I would be in support.

COPPOLA All right, thank you. Vice Chair Baringhaus.

BARINGHAUS Thank you. Well, I appreciate the fact that, I agree, your fence does need maintenance and replacement and upgrading, because it's been in that location for 40 years. 40 years later, the ordinance and the community changed. I think the fence itself, I think you have the ability to adjust the fence and make an effort to bring it more up to ordinance than what it is today. I have a problem. When you take a non-sight-obscuring fence that conforms to ordinance, you place it with a non-conforming privacy fence. I don't think that's a good path to go down. What I'd like to see is, I'd like to have this revisited. I'd like to see some definitive photos of what the fence looks like, materials, color, things like that, what the final fence will be when it's installed. I would also like to see a revised site plan where the fence is moved back as much as possible, to bring more into compliance with the ordinance itself. As the Petitioner said there were three privacy fences in her neighborhood that exist today, and I agree with that statement. But the thing with those privacy fences that are in her neighborhood today, they're set correctly at the rear plane of the homes as a rule. So those are things I'm kind of looking for. Again, not in favor of it today, I would be in favor of tabling it so you can answer some specific questions and actually see a definitive plan on what you're proposing for your replacement fence.

COPPOLA All right, thank you. Mr. Testa.

TESTA Thank you, Mr. Chair. I think on a pre-read I was a little negative on this deer argument. Really didn't hold much water with me, as I mentioned before, but through your explanation, driving the neighborhood, your lot is kind of an odd shape in terms of it is a lot wider than it is deeper. Your house is set back pretty far from the road, so moving the fence line back to the rear of the yard does considerably cut off a good chunk of usable space. Definitely on the south side, I can understand very little opportunity to move that fence back because of other things in the way, such as trees in your shed. On the north side, there seems to be a little opportunity to move it a few feet. Is it really worth arguing over that, pushing for that. I guess it's possible, if the gas meter doesn't obscure it. Looking at some additional maps, that pine tree is maybe bigger than I had thought, so maybe that's going to block it as well. The fence has been there for years. I'm glad you're not asking for a six-foot fence, since I think this might be the first five-foot fence we've had in a while. I'm still not sold on why you need it to be sight-obscuring, but I think it does fit in with the neighborhood, and I would be open to an approval because it is five foot; because of the uniqueness of the lot. And the other thing that's weighing on me is the letters of support. Mr. Baringhaus asked at the beginning of the case was that necessary authorization? It wasn't, but it was nice that you have your neighbor's support in writing, and the neighbor in support here tonight. Thank you.

COPPOLA Ms. Hakala.

HAKALA I'm going to be a no on this. There was no reason given it's a hardship or why a privacy fence was needed. No reason for why it needs to be an extra foot beyond aesthetics and deer, which I don't think qualify as hardships. I think there are plenty of other options when it comes to not the sight-obscuring fence or a different height or different location that just weren't really presented today.

COPPOLA Thank you. Yeah, I'm not in support of the petition as it's presented today. I don't. I really don't see a hardship here as it was presented. I think I will go over those issues. But there's really not a hardship that has been communicated with efficacy as viable. There is opportunity. I mean, the fence as it exists today exists because it was in compliance. It was not sight-obscuring. It was four feet high. You could put something same height, non-sight-obscuring that there might be opportunities to find something that matches the aesthetics that you're looking for. But I don't see hardship. That requirement doesn't fit the neighborhood. No other fence. You're the only fence, actually, I think, goes to the front of the house, period. There might be one, or maybe there's one chain-link, but beyond that, and three that you mentioned, I know there's two in Farmington Road that... generally we give them variances for that, and they didn't ask for a variance. And there you go to the back of the house. The other neighbor, I think it's three or four houses down to the south. They complied. They have a similar setup on their property, too. So as it's presented, no. If you're willing to move it back, and I would suggest back beyond the center of the house, that might be something that you consider as workable, because there are some issues with going to the back of the house, and it does make the property rather small, although all your other neighbor, good chunk your neighbors, have done that to comply. So I'm not in favor of this as it's presented. So I will go ahead and open up the floor for a motion.

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS I'll make a motion on Appeal Case No. 2026-04-03, to table the request of the variance to allow the Petitioner to revise their plan based on the suggestions they made this evening, and have them avoid having to refile if the variance is turned down tonight.

TESTA Support.

COPPOLA I have a motion by Vice Chair Baringhaus, supported by Mr. Testa, right? For a table. If you want to go ahead and take a quick vote.

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

RESOLVED: APPEAL CASE NO. 2026-04-03, 19384 Hillcrest: an appeal was made to the Zoning Board of Appeals by Nikki Michalski, seeking to erect a 5-to-6-foot-tall privacy fence, resulting in a privacy fence erected in the side yard toward the front of the lot beyond the rear plane of the house, which is prohibited.

This Low Density Residential property is located on the east side of Hillcrest (19384), between Seven Mile Road and Haldane Street, Lot. No. 007-99-0089-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 B.

be tabled to allow the Petitioner to consider the Board's comments and possibly revise her plans for her project before returning to the Board.

ROLL CALL VOTE

AYES: Baringhaus, Testa, Klisz, Meagher

NAYS: Hakala, Rotondo, Coppola

ABSENT: None

PASS/FAIL/TABLED: PASS: TABLED

KLISZ Ms. Hakala.

HAKALA No.

KLISZ Mr. Meagher.

MEAGHER Aye.

KLISZ Mr. Rotondo.

ROTONDO No.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ And Chairman Coppola.

COPPOLA Four ayes?

KLISZ Four ayes.

COPPOLA No for me.

KLISZ Passes four to three.

COPPOLA Okay, Mrs. Michalski, so what has happened is, is your petition has been tabled. So you have an opportunity to come back before the Board with a revised plan taking into consideration the comments that the Board gave, or alternatively you could come back with the same plan and try again, although I think that would probably be not a good use of anybody's time. And alternatively, you could work with a four-foot non-obscuring fence that meets your aesthetic requirements. So those are your three options, but it's been tabled for now. We didn't put a timeframe on that, did we? Timeframe on the table?

BARINGHAUS No, we didn't.

COPPOLA Should we put a timeframe on the tabling?

TESTA I think usually, in the case of review, that's maybe where someone already put up a fence, [inaudible].

COPPOLA Well, you just don't want this tabled for four years while we're waiting for them to come back, and they decided not to.

FISHER That doesn't strike me as the worst thing in the world.

COPPOLA Okay.

BARINGHAUS Add a date?

COPPOLA No. He said. Mr. Fisher said,

BARINGHAUS I thought you were nodding your head.

KLISZ They don't have it. It's different than people that have something.

BARINGHAUS So you're comfortable with that?

COPPOLA Yeah. So you can decide to come back or not come back and do something different. That's up to you. But if you want to come back with a revised plan, or any plan, the same plan, if you'd like, that's up to you. You just contact the Zoning Board Office and they'll get you on the next available agenda. So I'll let you ask some questions. It looks like you got questions.

BROWN No.

COPPOLA None? Okay. All right, thank you.

ADMINISTRATIVE TASKS

KLISZ [Inaudible]

TESTA Mr. Chair, motion to approve meeting minutes for January 6, 2026.

BARINGHAUS Support.

COPPOLA That's a motion by Mr. Testa, supported by Vice Chair Baringhaus. All in favor? Any opposed? So that's unanimous.

On a motion by Testa, supported by Baringhaus, the Board voted unanimously to approve the meeting minutes of January 6, 2026.

COPPOLA I don't believe we have any other business to be done, so I just need one more motion.

TESTA Motion to adjourn.

HAKALA Support.

COPPOLA Motion by Mr. Testa, support by Mrs. Hakala to adjourn. All in favor?

The Board voted unanimously to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned at 8:48 p.m.

Gregory G. Coppola, Chairman

James M. Baringhaus, Vice Chairman and Acting Secretary