

CITY OF SOUTHGATE

Board of Zoning Appeals

AGENDA

MONDAY, March 11, 2024

5:30 PM

I. CALL TO ORDER

II. ROLL CALL

Anderson, Coombs, Foucher, Martin, Poirier, Richardson, Stephan

III. MINUTES

1. Minutes of regular Board of Zoning Appeals Meeting dates September 11, 2023

IV. ADMINISTRATIVE REPORTS

V. PUBLIC HEARINGS

1. Variance application for 12930 Churchill

VI. NEW BUSINESS

1. Election of Officers

VII. OLD BUSINESS

VIII. ANNOUNCEMENTS

IX. ADJOURNMENT

City of Southgate
Board of Zoning Appeals
SEPTEMBER 11, 2023

A meeting of the Board of Zoning Appeals of the City of Southgate was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, September 11, 2023 and called to order by Gary Martin, Vice Chairperson at 5:30 p.m.

PRESENT: Gary Martin, Pat Poirier, Dennis Richardson, Tim Foucher, Patricia Anderson, Jill Stephan

ABSENT: Tom Coombs

Also Present: City Planner Joe Pezzotti, Building Official Tim Leach, City Administrator Dan Marsh, City Attorney Ed Zelenak

Minutes:

Moved by Anderson, supported by Foucher, to approve the minutes of the Board of Zoning Appeals Meeting dated August 14, 2023. Motion Carried Unanimously.

Administrative Reports:

Will be starting on updating the Master Plan.

Public Hearing:

1. Rocco Daversa, 13327 Mark, Variance for a Fence.

A PUBLIC HEARING WAS HELD FOR ROCCO DAVERSA, 13327 MARK, VARIANCE FOR A FENCE.

Notices were sent out.

Moved by Foucher, supported by Richardson, to open this Public Hearing.

The applicant is requesting expanding a fence that will encroach into the Sycamore front yard. The lot fronts two streets creating two front yards. The applicant is requesting this fence variance in order to extend the existing fence in the backyard closer to the sidewalk for enjoyment and provide fencing that most homes in the City not on a corner lot are permitted to install. The property is located within the R-1B One-Family Residential district. A privacy fence six feet in height consisting of white PVC material will replace the current wire fencing that is visible from the front yard along Sycamore Street. The requested variance is an encroachment of approximately fifteen feet into the required twenty-five foot front yard setback.

We believe the requested variance is reasonable and appropriate based on the location of the site. We recommend approval of the requested dimensional variance.

No public comments were received.



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: March 6, 2024

**VARIANCE ANALYSIS
FOR
THE CITY OF SOUTHGATE**

APPLICANT INFORMATION

APPLICANT: Raymond and Sarah Good
ADDRESS: 12930 Churchill Street
PARCEL ID: 53 005 02 0050 000
CURRENT ZONING: R-1B, One Family Residential
ACTION REQUESTED: Variance approval to allow extended driveway made of brick pavers

VARIANCE REQUEST

The applicant is requesting a variance for the approval of an existing ten (10) by forty (40) foot access drive/ driveway addition. The site is located at 12930 Churchill Street in the R-1B, One Family Residential District, southeast of Dix-Toledo between McCann Ave and Devoe Street. The parcel is 0.27 acres and is shown in Figure 1 on the following page.

The application to extend the driveway was previously denied per the ordinance in Section 1292.03(k)(5) that reads *"Single-family residences with a garage may install a driveway as wide as the garage wall subject to the requirements of Sections 1298.04(a)(1) and 1298.04(a)(3) containing the vehicle entrance door."* As of the writing of this review, brick pavers have been installed.

The applicant had noted in their previous application the reason for the requested variance is because of the location of their home on a corner and lack of sufficient lighting. In addition, the driveway extension would allow them to pull their cars out of the right-of-way and into their driveway, therefore, reducing the likelihood of vehicles being damaged. The diagrams provided on the application show the driveway being widened from the residence up to the sidewalk and then continuing at the same width to the curb. Figure 2 shows the existing conditions of the driveway. In the current application, the applicant is citing section 1294.08 Access Through Yards for the Board of Zoning Appeals to reconsider his original request:

"For the purpose of this Zoning Code, access drives may be placed in the required front or side yard so as to provide access to accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, no walk, terrace, or other pavement servicing a like function,

VARIANCE CONSIDERATIONS

Section 1264.04 of the City of Southgate Zoning Ordinance states The Board of Zoning Appeals shall have the power to vary or modify any ordinance provision whenever there are practical difficulties or unnecessary hardships imposed on the property owner if the strict letter of the ordinance is carried out. The Board of Zoning Appeals shall decide appeals in such a manner that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

Further, dimensional, and other non-use variances shall not be granted by the Board of Appeals (BZA) unless it can be determined that all the following facts and conditions exist.

In the Board's decision-making process, the following conditions must be determined to exist:

a) That compliance with the ordinance results in a practical difficulty:

CWA Comment: The applicant states that compliance with the ordinance would require removing the already installed brick pavers. Alternatively, the applicant can keep the pavers as wide as the garage itself without any zoning issues. If the applicant chose this alternative, it would allow approximately twenty (20) feet of driveway width and could accommodate two (2) parked cars in addition to a two-car garage. We are of the opinion that compliant with section 1292.03(k)(5) would not result in a practical difficulty.

b) That the problem requiring the variance is unique to the applicant's property and is not shared by properties in the same zoning district:

CWA Comment: The problem requiring a variance is not unique to the applicant's property and is shared by other properties on the same street/in same zoning district. The applicant previously noted they were concerned with their car being damaged if parked in the street. Many properties within the vicinity also face the same risk.

c) That the problem is not self-inflicted:

CWA Comment: The problem is self-inflicted as the driveway addition has already been installed without approval.

d) That the variance is the minimum necessary to permit reasonable use of the property:

CWA Comment: We do not find this is the minimum variance necessary. Adequate parking space could be provided if section 1292.03(k)(5) were to be followed.

e.) That the variance, if granted, would not compromise the public health, safety, and welfare:

CWA Comment: The requested variance, if granted, has the potential to impact the overall health, safety, and welfare of the public, as the installed addition can lead to greater flooding on the adjacent property.

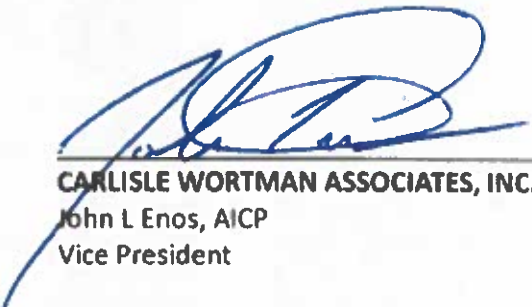
structures, rather than structures related to a residential use. We are of the opinion that the Building Director's interpretation is valid, as there is no specific mention of residential structures.

RECOMMENDATION

As noted, the applicant throughout this case has attempted to compare and call out other locations in the City that this situation may have occurred. We remind the BZA that zoning variances should stand on their own merit and do not establish a binding precedent for future cases. Each variance application should be evaluated based on its unique circumstances, considering factors such as the specific property, its surroundings, and the intent of the zoning regulations. While past decisions may offer guidance, they do not dictate the outcome of subsequent requests. This approach ensures that zoning decisions remain flexible and responsive to evolving needs and conditions within a community. By treating each variance application independently, authorities can uphold the integrity of zoning regulations while also accommodating reasonable exceptions when warranted. Thus, while zoning variances may provide insights, they do not establish a precedent that must be followed in future cases.

We do not recommend approval of the requested variance based on the following factors:

1. The requested variance is a result of a self-inflicted problem, that being the installation of the driveway addition without proper permitting and approval from the building department.
2. The requested variance has the potential to be injurious to the surrounding properties with the possibility of increased flooding onto the neighboring property.
3. The existing addition was constructed over an existing utility easement.
4. Bringing the exiting addition in conformance of section 1292.03(k)(5) would provide adequate parking space.



CARLISLE WORTMAN ASSOCIATES, INC.
John L Enos, AICP
Vice President



CARLISLE WORTMAN ASSOCIATES, INC.
Joe Pezzotti
Community Planner

BZA PR-24-00__ – Application 2/5/2024

1294.08 ACCESS THROUGH YARDS.

For the purpose of this Zoning Code, access drives may be placed in the required front or side yard so as to provide access to accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, no walk, terrace or other pavement servicing a like function, and not in excess of nine inches above the grade upon which it is placed, shall, for the purpose of this Zoning Code, be considered to be a structure, and the same shall be permitted in any required yard.

Fig. 1a

Number	PB23-0131	Category	SHED
Type	Building	Status	FINALED
Applied Date	03/21/2023	Expire Date	02/28/2024
Issue Date	04/14/2023	Finalized Date	09/01/2023
Work Description	INSTALL 8 X 10 SHED AS PER APPROVED PLAN		

Accessory Proof of Record

Fig. 1b

Ray Good 12930 Churchill Lot#50 Parking Questions

Ray Good <rgood308@gmail.com>
to: librown

Tue, Mar 15, 2022, 4:11PM

Kraig

I am requesting the city of Southgate permission to add additional parking next to my current driveway and alongside the garage. The reason for my request is that my house is on a curve and there is no room to park an additional vehicle in front of my house (see attachments). Since this is a new development we are not even sure what side of the street we can park on and there is a fire hydrant directly across the street from our house.

I hope that you allow this request because this is an investment into our future since this is our forever home.

I've drawn up some additional parking proposals, please review Option A and B attachments

Thank you

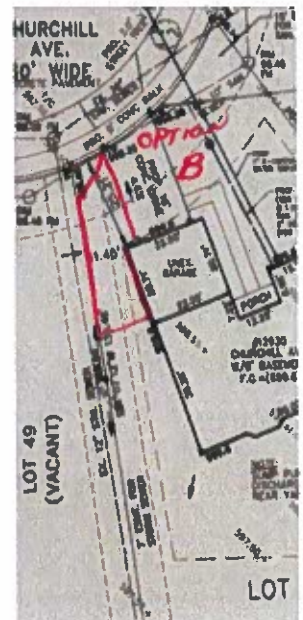
Ray Good
313-402-8635

6 Attachments • Scanned by Gmail



Initial Email sent to Building Department (March 2022)

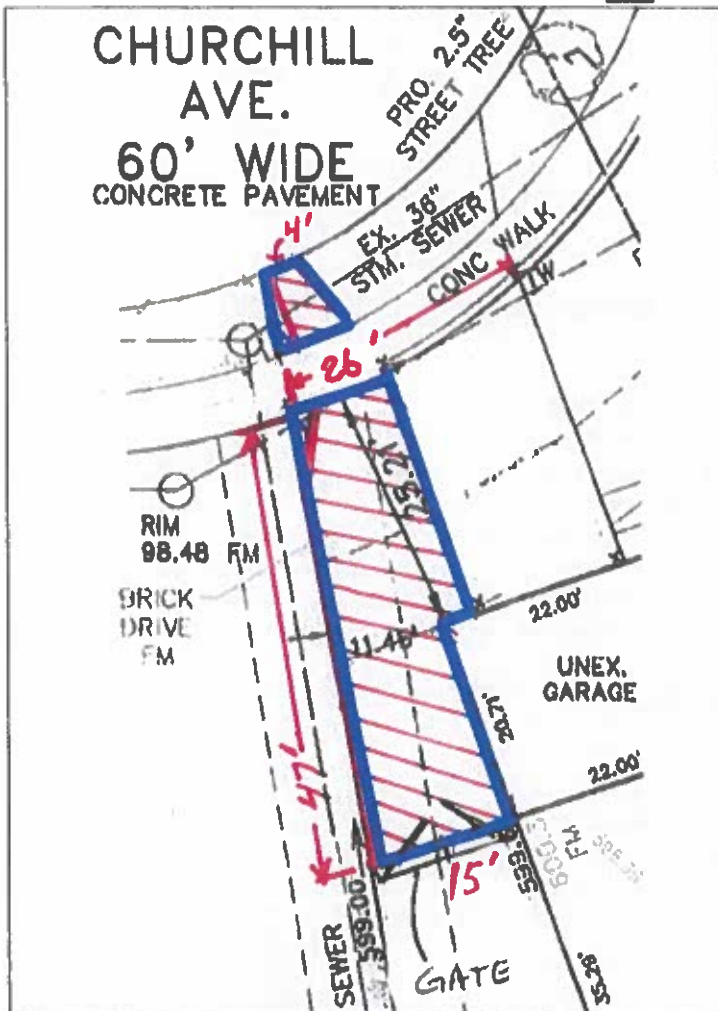
Fig. 2a



Initial Site Plan (March 2022)

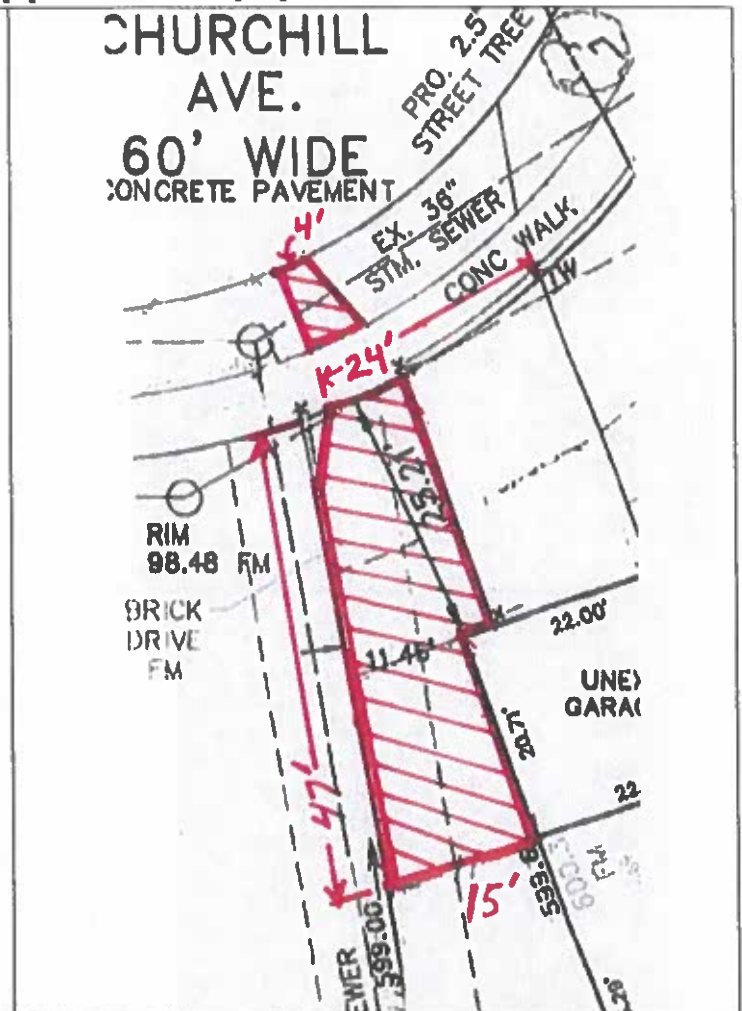
Fig. 2b

BZA PR-24-00 -- Application 2/5/2024



Current requested Site Plan (Option "A")

Fig. 3a



Current requested Site Plan (Option "B")

Fig. 3b

Number	PB23-0135	Category	DRIVEWAY
Type	ZONING	Status	HOLD FOR INVOICE
Applied Date	03/22/2023	Expire Date	No Data to Display
Issue Date	No Data to Display	Final Date	No Data to Display
Work Description	INSTALL ACCESS DRIVE (PER 1294.08) LOCATION (APPROACH,FRONT,SIDE YARD) MATERIAL: BRICK PAVERS AS PER APPROVED		
(City of Southgate Building Permit Application) (12930 Churchill) (March 2023)			

Fig. 4

Fig. 4

Note: I sent an email to Tim asking for a meeting to discuss 1294.08.

Per Tim Leach Email:

"No need for a meeting. This isn't a point you're going to change my view on."

(Note Ray Good clipped email and enlarged the font.)

Email from Building Department Director (March 2023)

Fig. 5

BZA PR-24-00__ – Application 2/5/2024



RECEIVED

APR 23 2020

City of Southgate

DEPARTMENT OF BUILDING AND SAFETY ENGINEERING

14400 OAK TOLEDO ROAD, SOUTHGATE, MICHIGAN 48195

PHONE: (734) 258 3030

FAX: (734) 281 6670

www.southgatemi.org

BUILDING MODERNIZATION PERMIT (OTHER THAN ADDITIONS AND ALTERATIONS)

DATE 3/16/2020

Owner Information	Job Address:	13739 Flanders			Reg/Comm:	
	Owner:	Michael Rouse				
	Address:	13739 Flanders	City:	Southgate	State:	MI Zip: 48106
	Phone:	734-837-3128				
Contractor Information	THIS APPLICATION WHEN PROPERLY SIGNED GRANTS PERMISSION TO:					
	Name:	Olive Cement Co. Inc.	Phone:	734-788-8888	Fax:	734-788-8452
	Address:	24263 Charles Dr.	City:	Brownstown	State:	MI Zip: 48183
	Signature:	Marcel A. Salinas	Email:	galsnas.marcel@earthlink.net		

To Install: Replace driveway 11x60 (4) ribbons 11x17, approach 17x24

Estimated Cost of Construction: \$ 7,800.00

Approved by:

[Signature]



Number PB20-0137

Type ZONING

Applied Date 04/23/2020

Issue Date 06/11/2020

Work

Description

REPLACE DRIVEWAY 11 X60 (4) RIBBONS 11 X 17, APPROACH 17 X24 AS PER APPROVED PLAN.

Category DRIVEWAY

Status EXPIRED

Expire Date 12/08/2020

Final Date No Data to Display

13739 Flanders St. The street is parallel to the house and allows parking on both sides of the street. Note: They have a concrete Access Drive (including the easement) in the front and side yards from the street to the gate. (The Access Drive was Approved by Mr. Leach Building Department Director – Zoning Permit PB20-0137)

Note the permit highlights Replace Driveway and from the pictures and site plans shows only adding new (note that the old driveway was not replaced)

Note Permit PB20-0137 expired and when I called BD, it was explained to me since it was a zoning permit only needs all require (the layout was approved) so the final inspection was not needed.

13739 Flanders St. Approved Building permit for an Access Drive

Fig. 6

BZA PR-24-00__ – Application 2/5/2024




Permit Information
Back

Number	PB16-0372	Category	ZONING
Type	Building	Status	FINALED
Applied Date	05/17/2016	Expire Date	12/17/2016
Issued Date	06/01/2016	Finished Date	08/23/2016

Work: R & R 7' X 11' APPROACH @ 6', APPROX. 510 S/F OF DRIVE
 Description @ 4' R & R 7' X 15' DRIVE SQUARE, AS PER APPROVED PLAN

12301 Kent Ct. The house is on a cul-de-sac that allows some non-parallel street parking in front of the house. Note: They have additional parking alongside the garage with an Access Drive from the street to the gate. (The Access Drive was Approved by Southgate Building Department – Permit PB16-0372)

This is an example that the city will approve an Access Drive on a Curve
 12301 Kent Ct. Approved Building permit for an Access Drive
 Fig. 7

In this case, the record is devoid of any evidence of same; it appears that the Appellants is constructing the argument based upon external matters and allegations and has not established a similarly situated property. The Appellants provided one example for the record of a property with an access drive, 13739 Flanders St, but it is distinguishable because the Appellants concedes that the home has an “approved permit from the city” (*Appellee’s Exhibit 9, page 3*). This establishes that the residence on Flanders St went through the permit process with the city, whereas the Appellants did not.

Further, there is a process in place if a residential homeowner wants to expand upon their property in a way that conflicts with the Zoning Ordinance. The appropriate course of action is to seek approval through a site plan proposal and to receive a permit from the Building Department.

City’s Court Briefing
Fig. 8

BZA PR-24-00__ – Application 2/5/2024

B. Eriberto & Adela Lopez – 13720 Flanders are requesting a dimensional variance for a driveway extension of (5) feet in the R-1B, Single Family Residential District.

Notices were sent out.

No public comments were received.

Motion by Martin, supported by Foirier, to open this Public Hearing.

Plan Consultant Starling stated the applicant is requesting a dimensional variance for a driveway extension of five (5) feet in the R-1B Single-Family Residential District. The subject site is located at 13720 Flanders, between Walnut Street and Superior Street. The Zoning requires when a garage is present, the driveway shall be the width of the garage itself, per Section 1292.03(k)(5). Application notes there is a ditch on each side of the existing driveway and is not safe for backing out of, in addition, applicant owns a utility trailer and must go into neighbor's yard to make the sharp turn that is required for existing driveway.

The applicant stated they just need that extra (5) five feet to maneuver in his driveway easier.

Due to the unusual and short configuration of driveways in many of the City's platted subdivisions, this could be considered a practical difficulty and we recommend approval of the requested variance.

Moved by Foirier, supported by Martin, to close this Public Hearing. Motion carried unanimously.

Discussion was held by the Board.

Moved by Martin, supported by Richardson, that the Board of Zoning Appeals, SUPPORT and APPROVE, the application at the request of Eriberto & Adela Lopez, 13720 Flanders, Southgate MI, for a dimensional variance for a driveway extension of (5) feet in the R-1B, Single Family Residential District. Motion Carried Unanimously.

BZA Meeting 9/12/22 – Board Approval of 13720 Flanders

Fig. 9

access drive

Advanced Filters

Clear Search

Advanced Filters

Show Document Excerpts

Search

1294.08 ACCESS THROUGH YARDS.

Southgate, MI

Southgate, MI Code of Ordinances

1294.08 ACCESS THROUGH YARDS. For the purpose of this Zoning Code, access drives may be placed in the required front or side yard so as to provide access to accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, no walk, terrace or other pavement servicing a like function, and not in excess of nine inches above the grade upon which it is placed, shall, for the purpose of this Zoning Code, be considered to be a structure and the same shall be permitted in any required yard.

City Zoning Web Site Search

Fig. 10

BZA PR-24-00__ – Application 2/5/2024

Allowed (Building Director Proposed)

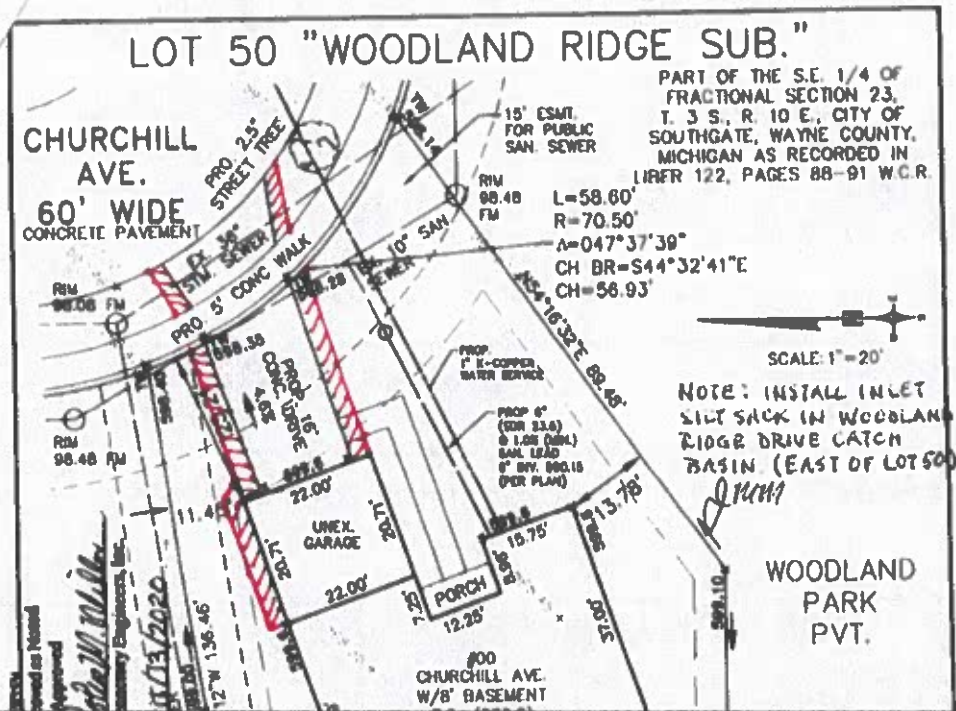


Fig. 11

BZA PR-22-007 Revision 12/21/2022

Revisions allowed per 12/12/22 BZA meeting. The board is allowing additional findings and clarifications.

Form No. 62

Case No. BZA _____

Date Received 10/17/2022

Revision: 12/21/2022

CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS

RETURN TO:
Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48165

BZA PR-22-007 Revision Dated 12/21/2022

Fig. 12

The inconsistency in the Building Department's approval process has subjected me to considerable hardship, both financially and emotionally. The 23-month-long ordeal has resulted in stress, exhaustive research, numerous interactions with city officials, additional costs related to the BZA application, and legal fees. This inconsistency is projected to cost an additional \$18,000 to \$20,000, funds that could have been spared with a more transparent and consistent process.

Hardship

Fig. 13

BZA PR-24-00__ – Application 2/5/2024

RAYMOND GOOD, et al,
Appellant,

vs.

Case No. 23-008490-AV
Hon. Charlene M. Elder

CITY OF SOUTHGATE
BOARD OF ZONING APPEALS,
Appellee,

STAVER & ANDERSON, P.C.
By: Bryan Anderson (P77075)
Attorneys for Appellants, Raymond Good, et al
20300 Superior Road, Suite 240
Taylor, MI 48180
(734) 374-1930

ED ZELENAK (P27611)
Attorney for Appellee
2933 Fort Street
Lincoln Park, MI 48146
313-386-6400

ORDER FOLLOWING HEARING

At a session of said court held in the
County of Wayne, State of Michigan,

ON 1/5/2024

THE HONORABLE JUDGE CHARLENE M. ELDER
Circuit Court Judge

This matter having come before the Court on Appellants' Appeal; and,

The Court having considered the Briefs filed by the Appellant and Appellee and
the Court being otherwise aware of the matter now brought before the Court, and the
Appeal being decided sua sponte;

NOW, THEREFORE, IT IS HEREBY ORDERED that the case shall be
remanded back to the Appellee, City of Southgate Board of Zoning Appeals, for a de novo
hearing.

IT IS ALSO HEREBY ORDERED that the Appellee, City of Southgate Board of

BZA PR-24-00__ – Application 2/5/2024

Zoning Appeals, shall provide a court reporter to be present at and provide a transcript of the de novo hearing.

IT IS ALSO HEREBY ORDERED that the Appellants shall refile their application for approval to the City of Southgate Board of Zoning Appeals, without filing fee costs, within 60 days of the entry of this Order.

IT IS ALSO HEREBY ORDERED that the Appellants' right to appeal the decision of the Appellee at the de novo hearing to the Wayne County Circuit Court is preserved.

/s/ Charlene M. Elder January 5, 2024

Circuit Court Judge



12/22/23

Approved

P27611

Attorney for Appellee

Attorney for Appellants

Form No. 02

RETURN TO:
Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48185

Case No. BZA _____

Date Received _____

**CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS**

Concerning an appeal to vary or modify certain regulations established in TITLE SIX, commonly referred to as the Zoning Code for the City of Southgate:

TO BE COMPLETED BY THE APPLICANT:

Owner/Applicant	Agent
Name Raymond / Sarah Good	Name _____
Address 12930 Churchill	Address _____
Southgate, MI. 48195	_____
(City) (State) (Zip)	(City) (State) (Zip)
Telephone 313-402-8635	Telephone _____

Information regarding the site:

Street Address: **12930 Churchill**

Major Cross Streets: **McCann - Northline**

Parcel No. **53 005 02 0050 000**

Acreage: **0.189** Dimensions of Parcel: **55.00ft x 130.46ft**, frontage: **55.00 ft**

Current Zoning (please circle): RE R-1 R-1A R-1B RM RO C-1 C-2 C-3 M-1 MH PD P-1

Current Use: **Residential**

Requested action:

- ☐ Dimensional Variance Requested Variance: _____
(For example - Front yard setback from 25 feet to 20 feet.)
- ☐ Interpretation of the Zoning Ordinance or Map
- ☐ Appeal from the Planning Commission or Zoning Administrator
- ☐ Other
Please Specify _____

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

Board of Zoning Appeals Application
Page 2

Information regarding request:

I hereby request a hearing before this body to:

(Please supply detailed information. For example, why you are requesting the proposed action, a complete description of the project, how the request is compatible with adjacent land uses and zoning districts, any information you feel is pertinent to your application, etc. Feel free to attach additional documents to this application if it will help describe your project or if you need more room than is provided below.)

We are requesting an appeal to ordinance 1292.03 (k)(5) in response to City of Southgate letter (Fig. 7) saying that we were in violation of 1292.03(k)(5) by widened the driveway with brick pavers. If granted variance it would allow the current pavers to remain in place. We currently don't have adjacent land user and the project will be within the property lines. The issue is that pavers were placed next to the driveway at said address and per the building department this goes against ordinance 1292.03 (k)(5).

In early March of 2022, we were in contact with the City of Southgate Building Department acquiring information about adding additional concrete adjacent to the current driveway. There was a face-to-face meeting with Kraig Brown at the property location and we reviewed the proposed layouts (sketch, Fig. 3). The result of the meeting was that we could not add concrete adjacent to the driveway. It so happens that I was meeting with the landscaping contractor at the same time, so I include him in the discussion that I was having with Kraig Brown. After Kraig left, the contractor mentioned that they could use pavers because it is non-permanent structure. (Continued on Page 4)

A SKETCH CLEARLY DEPICTING THE REQUEST MUST BE ATTACHED TO THIS APPLICATION FOR IT TO BE VALID. IF REQUESTING A DIMENSIONAL VARIANCE, FORM 02A MUST BE ATTACHED. Fig. 3a & 3b

The Applicant / Agent must appear before the Board of Zoning Appeals on _____
(Date)

THE OWNER / AGENT OF THE PROPERTY DESCRIBED ON THIS APPLICATION SUBMIT THAT ALL STATEMENTS HEREIN AND IN THE DOCUMENTS PROVIDED ARE TRUE.

Signature – Owner / Agent: _____ Date: _____

To review your application properly, Board of Zoning Appeals members may need access to the property in question. Please initial if permission is given for property access. INITIALS _____

Fees must be paid at the same time this application is submitted to the City.

OFFICE USE:

Date Received: _____ Received By: _____
(Staff's Name)

Fee Charged: _____

Check No.: _____ Receipt No.: _____

Created on February 15, 2007
Revision Record:

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

ATTACH TO YOUR BZA APPLICATION

AND RETURN TO:

Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48195

Form No. 02A

Case No. BZA _____

Date Received _____

**APPLICATION FOR BOARD OF ZONING APPEALS
DIMENSIONAL VARIANCE**

The City of Southgate Board of Zoning Appeals is required by state law to support its decisions with evidence of "practical difficulty." In order to prove your property is entitled to a variance, please provide answers to the following questions:

1. Why compliance with the Ordinance results in a practical difficulty?

Limits in the parking situation: Property on curve, fire hydrant across the street, dark street.

2. Why the problem requiring the variance is unique to your property and not shared by properties in the same zoning district?

My property is located on a concaved curve that is not allowing for safe parking in front of my house. My concern is with the lack of streetlights, the sub is currently under construction and the street Churchill is a long straight away that allows vehicles to speed. The fear is that a construction vehicle trying to make the turn or someone will be speeding at night and without streetlights hit my parked vehicle. (Fig. 5 & 6)

3. Why the problem is not self-inflicted?

While it appears self-inflicted however we were trying to be proactive by planning ahead during construction prior to moving in by contacting the building department via phone (Fig. 1) and email. (Fig. 2)

4. That the variance is the minimum necessary to permit reasonable use of the property?

We are seeking minimum solution; early June 2022 I had a face-to-face conversation with Tim Leach and after we spoke my understanding was that I could add pavers in the proposed parking area as an acceptable compromise in lieu of concrete. This solution not only solves our issue but improves the aesthetics of our property without disturbing the integrity of our neighborhood.

5. That the variance, if granted, would not compromise the public health, safety and welfare?

If granted it would not compromise public health, safety, and welfare.

If granted this improve clutter (safety) when rounding the corner from Churchill to Woodland Ridge.

As stated previously I believe it enhances our neighborhood.

Exhibit 1 / Page 3

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

(Continued from Page 2)

Over the next several months I was in contact with Tim Leach discussing permit and building issues that I was having with the builder (Gerrish) (calls Fig. 1 & face-to-face). During one of our discussions in early June (face-to-face) I brought up the meeting I had with Kraig Brown and so I asked Tim about adding concrete adjacent to the driveway, I presented the same layout proposals (Fig. 3) and was very clear about the location of concrete. Tim said, "no, you can only add to the width of the garage". So, knowing that I could install pavers (per my conversation with landscaper) I asked Tim Leach some questions about the spot next to my driveway. I asked Tim, could I park in that area if it was grass, he said "no". Then I asked Tim what if I put gravel down, could I park there and he said "no", so I asked him, what could I park on, he said "pavers". After we spoke, my understanding was that I could add pavers in the proposed parking area (Fig. 3). So, I scheduled an install with a contractor to install the pavers. The pavers were installed on 9/12/22. On 10/10/2022 I received a call from my fence installer, and he told me when he went to pull the permit and it was denied. He said the COS explained to him that the owner of the property needs to address an issue with the driveway before they can issue a permit for the fence. This was followed by a letter from the COS Building Department the very next day. This led to another conversation with Tim Leach, but this time it was about the pavers we had installed and said that we could apply for a variance leading us to this request.

Additional Comments:

My property is located on a concaved curve that is not allowing for safe parking in front of the house. The concern is with the lack of streetlights; the sub is currently under construction and the street Churchill is a long straight away without stop signs that allows vehicles to speed. The fear is that someone will be speeding at night and without streetlights hit my parked vehicle. (Fig. 5) I've already had someone drive up on my easement about 2 feet, leaving deep tire marks on my lawn. Also, with all the construction vehicles coming and going with trailers making that turn increases the chances of damage to my vehicle. (Fig. 6)

During the review of the city ordinances, I noticed that there were some accommodations for Cul-de-sac and corner lots that allowed for additional parking and extended driveways. (1292.03(k) (5&8)) My property shares similar features and hope that this allows some accommodations for mine.

We tried to do everything right with calling the city, meeting to review plans with the city but some miscommunication / misunderstanding has led the COS Building Department to issue an ordinance violation. I've done my best in trying to explain my side to the board and hopes that they will see my side and sign off on the current layout. Please review the picture of the finish product (Fig. 4), in fact we have had several compliments from the neighbors.

Let me finish by saying that I would've not proceeded with installing pavers if I didn't think I had a clear understanding from the City of Southgate Building Department, referring to my early June conversation with Tim Leach. I would not have risked \$13,000 if I was unsure.

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

Date	Time	Number	Origination	Destination	Min.	Airtime Charges	LD/Other Charges	Total
Mar 7	9:15 AM	734.258.3010	Sterling H, MI	Wyandotte, MI	1	--	--	--
Mar 7	9:19 AM	734.258.3010	Sterling H, MI	Wyandotte, MI	2	--	--	--
Mar 7	9:53 AM	734.258.3010	Sterling H, MI	Wyandotte, MI	2	--	--	--
Mar 7	9:54 AM	734.258.3010	Sterling H, MI	Wyandotte, MI	4	--	--	--
Mar 9	11:33 AM	734.258.3010	WFi CL	Wyandotte, MI	1	--	--	--
Mar 9	11:34 AM	734.258.3010	WFi CL	Wyandotte, MI	2	--	--	--
Mar 14	7:04 AM	313.319.5449	Sterling H, MI	Incoming, CL	10	--	--	--
Mar 14	9:00 AM	734.258.3010	Sterling H, MI	Wyandotte, MI	1	--	--	--
Mar 15	2:31 PM	734.258.3010	Sterling H, MI	Incoming, CL	5	--	--	--
Mar 15	3:10 PM	313.319.5449	Lincoln PA, MI	Incoming, CL	1	--	--	--
Mar 25	7:51 AM	734.258.3010	Warren, MI	Wyandotte, MI	1	--	--	--
Mar 25	7:52 AM	734.258.3010	Warren, MI	Wyandotte, MI	2	--	--	--
May 13	2:50 PM	734.258.3010	Southgate, MI	Wyandotte, MI	1	--	--	--
May 25	9:33 AM	734.258.3030	Sterling H, MI	Wyandotte, MI	2	--	--	--
Jun 1	10:08 AM	734.258.3131	Madison Ht, MI	Wyandotte, MI	1	--	--	--
Jun 1	10:09 AM	734.258.3010	Madison Ht, MI	Wyandotte, MI	2	--	--	--

Fig. 1

----- Forwarded message -----

From: Ray Good <rgood308@gmail.com>
 Date: Tue, Mar 15, 2022 at 4:11 PM
 Subject: Ray Good 12930 Churchill Lot#50 Parking Questions
 To: <[kurbrown@ci.southgate.mi.us](mailto:krbrown@ci.southgate.mi.us)>

Kraig,

I am requesting the city of Southgate permission to add additional parking next to my current driveway and alongside the garage. The reason for my request is that my house is on a curve and there is no room to park an additional vehicle in front of my house (see attachments). Since this is a new development, we are not even sure what side of the street we can park on and there is a fire hydrant directly across the street from our house.

I hope that you allow this request because this is an investment into our future since this is our forever home.

I've drawn up some additional parking proposals, please review Option A and B attachments.

Thank you

Ray Good

313-402-8635

Fig. 2

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

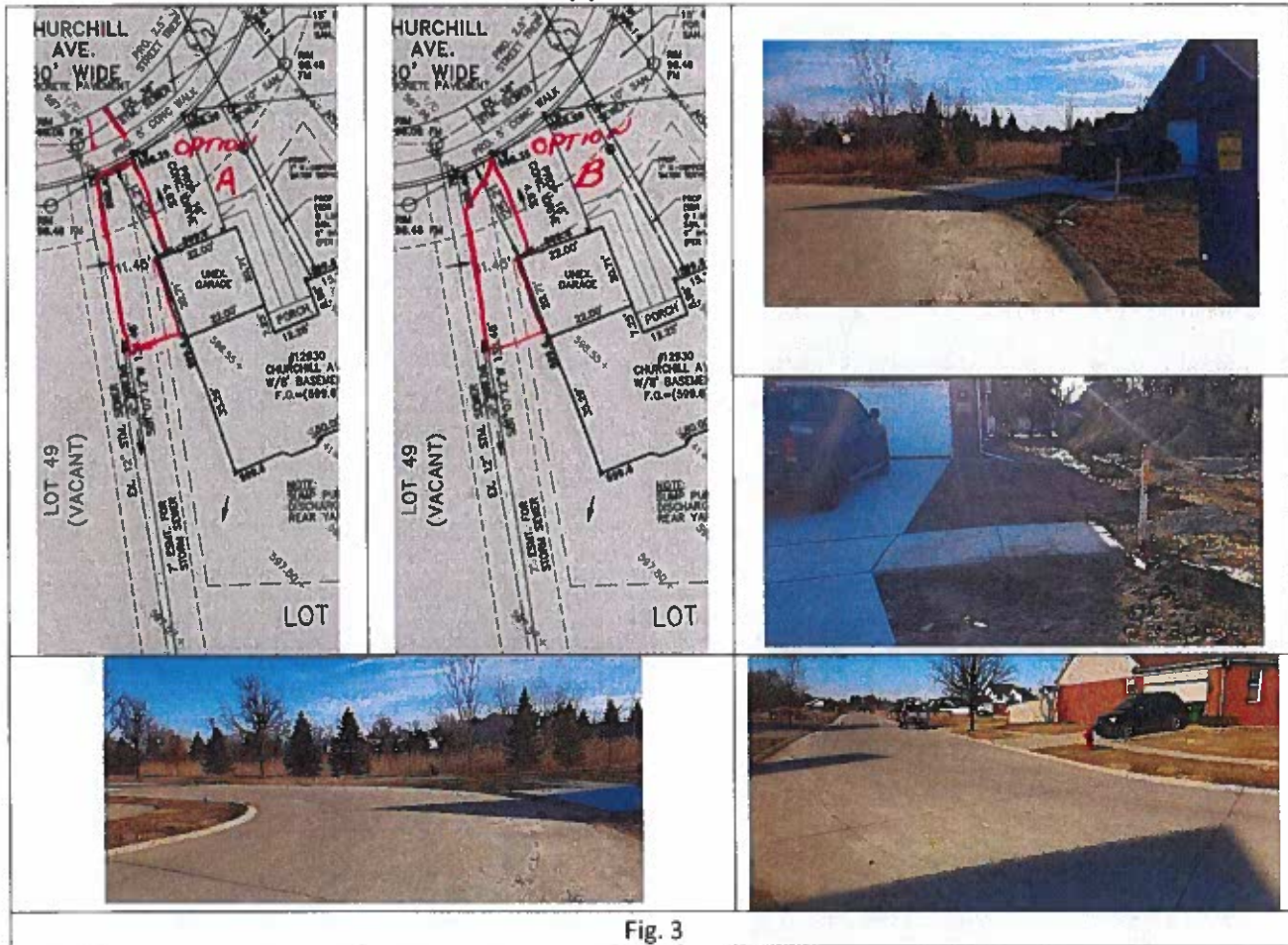


Fig. 3

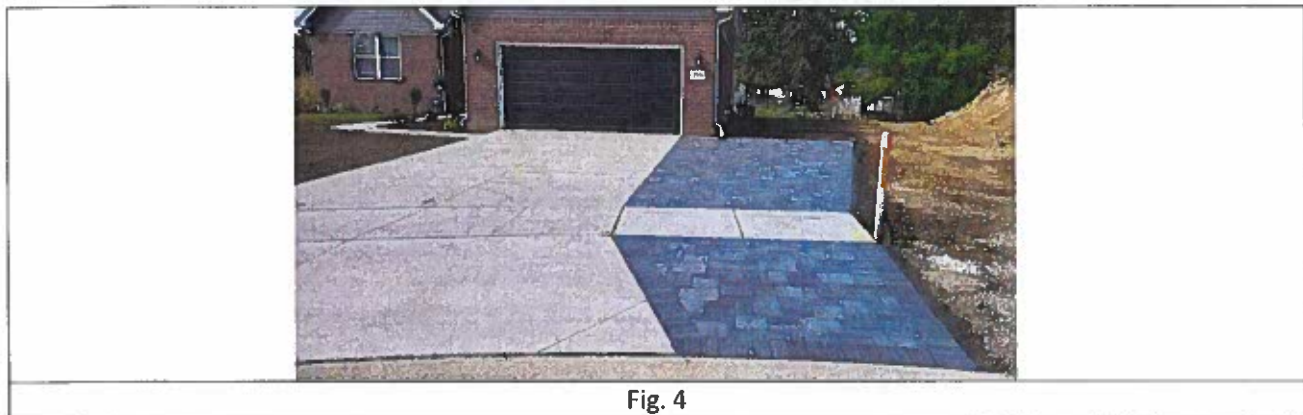


Fig. 4

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

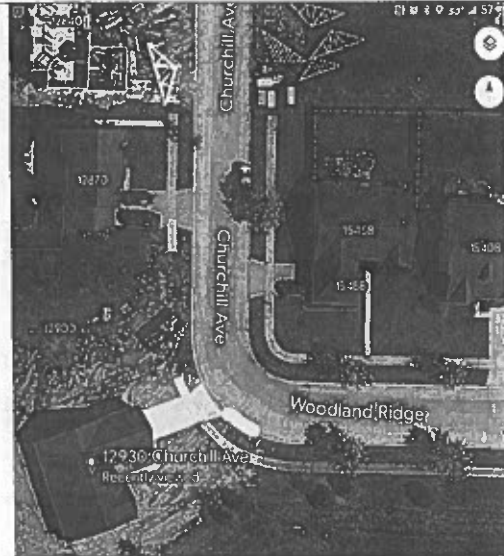
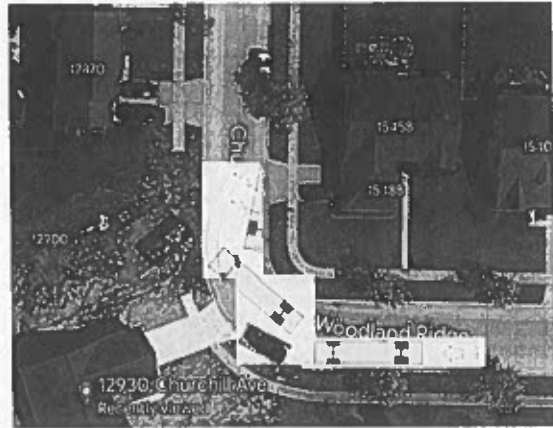


Fig. 5

Fig. 6

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022


City of Southgate
DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
14400 DOCTOLEDO ROAD, SOUTHGATE, MICHIGAN 48196
PHONE: (734) 258-3027
FAX: (734) 251-0570
www.southgate.org

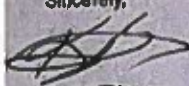
October 6, 2022

Raymond Michael & Sara Anne Good
12930 Churchill
Southgate, MI 48195

It has come to the attention of the Building Department that you have widened your driveway with brick pavers.

This is in violation of Chapter 1292.04(5), which states, Single-family residences with a garage may install a driveway as wide as the garage wall subject to the requirements of Sections 1298.04(a)(1) and 1298.04(a)(3) containing the vehicle entrance door. When the width of the side yard between the house and the side lot line is less than twelve feet wide, in front of the house the driveway may be expanded to the maximum permitted width but may not extend across the front of the house more than two feet, and may extend to the street at that width.

If you have any questions please give the Building Department @ 734-258-3010 ext. 3130

Sincerely,

Craig E. Brown
Building Inspector
KRB/mg

MI > S > Southgate > 1292.04 OFF-STREET PARKING REQUIREMENTS

Loading

1292.01 OFF-STREET PARKING REQUIREMENTS

1292.02 SCHEDULE OF PARKING SPACES

CONSTRUCTION AND MAINTENANCE OF PARKING AREAS

1292.04 OFF-STREET LOADING AND UNLOADING REQUIREMENTS

CHAPTER 1294 General Exceptions

CHAPTER 1295 Nonconforming Uses

CHAPTER 1298 Provisions Relating To

(1) To construct or replace a driveway or an approach, serving a single family resident, a site plan shall be submitted, approved and a zoning permit issued by the Building Department to the homeowner or a contractor, to ensure proper placement as regulated by this Zoning Code

(2) Driveways serving single-family residences shall be by means of clearly limited and defined drives which shall consist of either concrete, brick pavers, or a combination of both

(3) Driveways and approaches must be the same width at the City sidewalk, and driveways must be located on the same side of the lot as adjoining properties, unless approved in advance in writing by the Building Department or, if denied, the applicant must seek approval of the Board of Zoning Appeals after review and approval by the Planning Commission

(4) Single-family residences without a garage may install a driveway not more than twelve feet wide. When the width of the side yard between the house and the side lot line is less than twelve feet wide, in front of the house the driveway may be expanded to the maximum permitted width but may not extend across the front of the house more than two feet, and may extend to the street at that width

Single-family residences with a garage may install a driveway as wide as the garage wall subject to the requirements of Sections 1298.04(a)(1) and 1298.04(a)(3) containing the vehicle entrance door. When the width of the side yard between the house and the side lot line is less than twelve feet wide, in front of the house the driveway may be expanded to the maximum permitted width but may not extend across the front of the house more than two feet, and may extend to the street at that width

Fig. 7

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

Revisions allowed per 12/12/22 BZA meeting. The board is allowing additional findings and clarifications.

Form No. 02

RETURN TO:
Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48185

Case No. BZA _____

Date Received _____

**CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS**

Concerning an appeal to vary or modify certain regulations established in TITLE SIX, commonly referred to as the Zoning Code for the City of Southgate:

TO BE COMPLETED BY THE APPLICANT:

Owner/Applicant	Agent
Name Raymond / Sarah Good	Name _____
Address 12930 Churchill	Address _____
Southgate, MI. 48195	(City) _____ (State) _____ (Zip) _____
(City) _____ (State) _____ (Zip) _____	Telephone _____
Telephone 313-402-8635	

Information regarding the site:

Street Address: **12930 Churchill**

Major Cross Streets: **McCann - Northline**

Parcel No. **53 005 02 0050 000**

Acreage: **0.189** Dimensions of Parcel: **55.00ft x 130.46ft** Frontage: **55.00 ft**

Current Zoning (please circle): RE R-1 R-1A R-1B RM RO C-1 C-2 C-3 M-1 MH PD P-1

Current Use: **Residential**

Requested action:

- ☐ Dimensional Variance Requested Variance: _____
(For example - Front yard setback from 25 feet to 20 feet.)
- ☐ Interpretation of the Zoning Ordinance or Map
- ☐ Appeal from the Planning Commission or Zoning Administrator
- ☐ Other
Please Specify _____

Exhibit 2 / Page 1

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

Board of Zoning Appeals Application
Page 2

Information regarding request:
I hereby request a hearing before this body to:

(Please supply detailed information. For example, why you are requesting the proposed action, a complete description of the project, how the request is compatible with adjacent land uses and zoning districts, any information you feel is pertinent to your application, etc. Feel free to attach additional documents to this application if it will help describe your project or if you need more room than is provided below.)

Requesting a variance for a driveway extension and if granted it would allow the current pavers to remain in place. We currently don't have an adjacent land user and the project will be within the property lines. The Building Department notes that we are in violation of Ordinance 1290.03 (k)(5) and installing the pavers next to the driveway without pulling a permit. I had many conversations with the Southgate Building Department on extending the current driveway and to sum it up that there was a misunderstanding (for details review original BZA dated 10/17/22) and would've not proceeded with installing pavers if I didn't think I had a clear understanding from the City of Southgate Building Department.

Please note that it is difficult to park in front the house due to the configuration of the street (tight curve) this impedes through traffic and causes traffic to drive on the neighbor's grass and when vehicle is parked in front of the house it encroaches on my driveway allowing backing out very difficult. I own a recreational trailer and must go into the neighbor's yard to make the sharp turn that is required for the existing driveway. (Fig. 1a, 1b)

A SKETCH CLEARLY DEPICTING THE REQUEST MUST BE ATTACHED TO THIS APPLICATION FOR IT TO BE VALID. IF REQUESTING A DIMENSIONAL VARIANCE, FORM 02A MUST BE ATTACHED. Fig. 3a & 3b

The Applicant / Agent must appear before the Board of Zoning Appeals on _____
(Date)

THE OWNER / AGENT OF THE PROPERTY DESCRIBED ON THIS APPLICATION SUBMIT THAT ALL STATEMENTS HEREIN AND IN THE DOCUMENTS PROVIDED ARE TRUE.

Signature – Owner / Agent: _____ Date: _____

To review your application properly, Board of Zoning Appeals members may need access to the property in question. Please Initial if permission is given for property access. INITIALS _____

Fees must be paid at the same time this application is submitted to the City.

OFFICE USE:

Date Received: _____ Received By: _____
(Staff's Name)
Fee Charged: _____
Check No.: _____ Receipt No.: _____

Created on February 15, 2007
Revision Record:

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

**ATTACH TO YOUR BZA APPLICATION
AND RETURN TO:**

Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48195

Form No. 02A

Case No. BZA _____

Date Received _____

**APPLICATION FOR BOARD OF ZONING APPEALS
DIMENSIONAL VARIANCE**

The City of Southgate Board of Zoning Appeals is required by state law to support its decisions with evidence of "practical difficulty." In order to prove your property is entitled to a variance, please provide answers to the following questions:

1. Why compliance with the Ordinance results in a practical difficulty?

In front of my house, it is difficult to park due to the configuration of the street (tight curve) and the daily struggles that's created by the construction of new homes in my subdivision.

My understanding of Practical Difficulties: The Plight of the landowner is due to circumstances unique to the property not created by the landowner. (A dangerous, difficult, or otherwise unfortunate situation not created by you.)

Dangerous:

Speeding vehicles. (Many vacant lots, leads to the lack parked vehicles on the street and this allows for vehicles to speed)

Lack of City Streetlights (City cannot and will not install street lighting until the completion of the subdivision)

Difficult:

Unique street parking (tight curve) this impedes through traffic and causes traffic to drive on the neighbor's grass.

Unique street parking (tight curve) when vehicle is parked in front of the house it encroaches on the driveway allowing backing out very difficult. I own a recreational trailer and must go into the neighbor's yard to make the sharp turn that is required for the existing driveway

Otherwise, unfortunate situation:

Limited Street parking. The house directly across from me does not allow for additional parking because it is a corner house, and no parking is allowed because of the fire hydrant.

Removal / Relocating existing pavers. This will add additional costs.

I have no control of who or what could park in front of my house causing difficulty backing out of his driveway.

I have no Control over when the subdivision will be completed.

Due to the unusual configuration of the property being on curve shortening the parking availability in front of the home, which is unique compared to many of the City's platted subdivisions and should be considered a practical difficulty.

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

2. Why the problem requiring the variance is unique to your property and not shared by properties in the same zoning district?

My property is on a unique street configuration (tight curve) and when a vehicle is parked (on an angle) in front of my house it encroaches on my driveway limiting maneuverability in and out of my driveway. All the surrounding houses do not face this challenge because the street parking is parallel to their house. (Fig. 2a).

Due to the unusual configuration of the property being on curve shortening the parking availability in front of the home, which is unique compared to many of the City's platted subdivisions and should be considered unique to my property.

So this led me to research other homes in Southgate and it was hard to find another house that fits my exact issues (seen many cul-de-sacs, corner lots, and seen some homes next to retention ponds but none of them are on a curve) **but what I was able to find** is that there are several properties that have extended driveways with the approval from the City of Southgate Building Department and several of those homes are within walking distance of my house. (Continue Page 6.)

3. Why the problem is not self-inflicted?

The problem is not self-inflicting because the property is on a curve (therefore difficulty to park in front of the house without impeding traffic, street parking is not parallel to the house.) All the other homes on my street have parallel parking in front of their house. The Curve was there when we moved in.

The problem is not self-inflicting because the location of the property is in a new subdivision and still under construction and the city cannot/will not install lighting until the subdivision is completely built up. (This is a Sub Problem, but does it make it right).

The problem is not self-inflicting because the location of the property is in a new subdivision and still under construction. There is constant traffic flow of construction vehicles making that tight turn directly in front of my house and driving over on my neighbor's lawn.

The problem is not self-inflicting because the location of the property is in a new subdivision and there are many vacant lots and with the lack of vehicles parked on the street this allows speeding vehicles up and down the street at all hours. (I have seen several burn out marks on the street) (This is a Sub Problem, but does it make it right)

I have no control over the items just listed, but with the paver spot it allows me some control over the uncontrollable.

4. That the variance is the minimum necessary to permit reasonable use of the property?

Yes, this approved variance would allow reasonable use of the property and improve the aesthetics of our property without disturbing the integrity of our neighborhood.

5. That the variance, if granted, would not compromise the public health, safety and welfare?

If granted it would not compromise public health, safety, and welfare.

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022



Fig. 1a



Fig. 1b



Fig. 2a

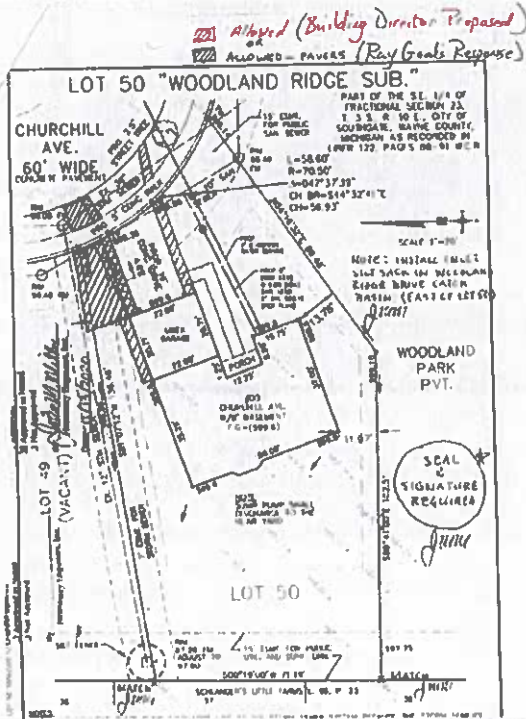


Fig. 3a



Fig. 3b

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

Search results from Condition 2:

12301 Kent Ct.

			
Permit Information			
Number	1816-0372	Category	ZONING
Type	Building	Status	FINALED
Applied Date	05/17/2016	Expire Date	12/17/2016
Issue Date	06/01/2016	Finalist Date	08/23/2016
Work Description	R 5 R 7' X 11' APPROACH @ 6', APPROX. 510 S/F OF DRIVE Description @ 4' R & R 7' X 15' DRIVE SQUARE AS PER APPROVED PLAN		
12301 Kent Ct. The house is on a cul-de-sac that allows some non-parallel street parking in front of the house. Note: They have additional parking alongside the garage with an extended driveway leading from the approach at an angle. Note: The ordinance allows for angled drive if the garage was turned 90 degrees. (The extended drive was Approved by Southgate BD – Permit)			

12197 Longtin.

	
12197 Longtin. The street is parallel with the house and allows parking on both sides of the street. Note: They have additional parking to the left side of the driveway and additional parking on the side of the garage. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (No approval info on driveway)	

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

15350 Brest / 15336 Brest.



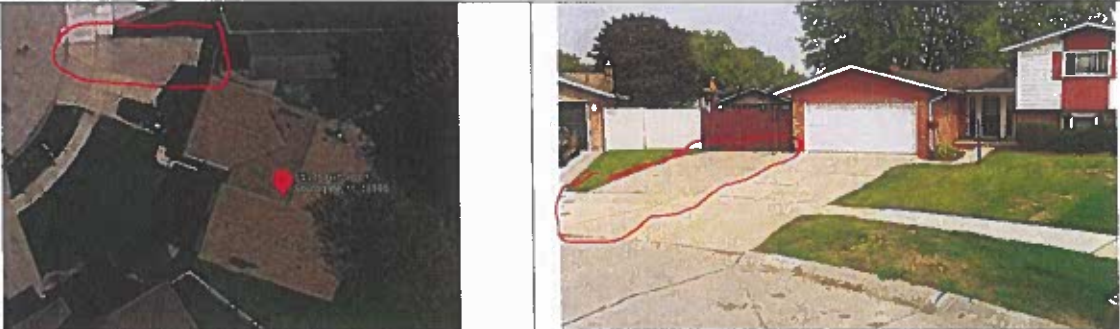
Permit Information

Number	PB17-0985	Category	ZONING
Type	Building	Status	EXPIRED
Applied Date	09/22/2017	Expire Date	04/23/2018
Issue Date	10/25/2017	Final Date	No Data to Display

Work Description: R & R EXISTING DRIVEWAY AS PER APPROVED PLAN.

15350 Brest / 15336 Brest. The houses are parallel to the street and parking is allowed on both sides of the street. One house is on a corner and the other is not but has a circle drive. Note: Both have an additional park pad extending the driveway. Note: Ordinances do not allow for extended driveway. (13350 Brest Has Approval from Southgate – Permit / 15336 Brest No approval info on driveway) (WALKING DISTANCE)

14975 Oxford Ct



14975 Oxford Ct. The house is on a cul-de-sac that allows some non-parallel street parking in front of the house. Note: This also additional parking with an extended driveway leading from the approach at an angle. Note: The ordinance allows for angled drive if the garage was turned 90 degrees. (No approval info on driveway)

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

12301 Kent Ct.



15002 Malcolm St. (Same as Longtin) The street is parallel with the house and allows parking on both sides of the street. Note: They have additional parking to the right side of the driveway and additional parking on the side of the garage. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (No approval info on driveway)

12622 Devoe St.



Permit Information

Number	P818-0701	Category	ZONING
Type	Building	Status	FINALED
Applied Date	08/17/2018	Expiry Date	04/13/2019
Issue Date	08/17/2018	Finalized Date	10/15/2018
Work Description	R & R DRIVEWAY AND SERVICE WALK, AS PER APPROVED PLAN		

12622 Devoe St. The street is parallel with the house and allows parking on both sides of the street. Note: They have additional parking to the right side of the driveway and additional parking on the side of the garage. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (The extended drive was Approved by Southgate BD – Permit) (NEXT STREET OVER)

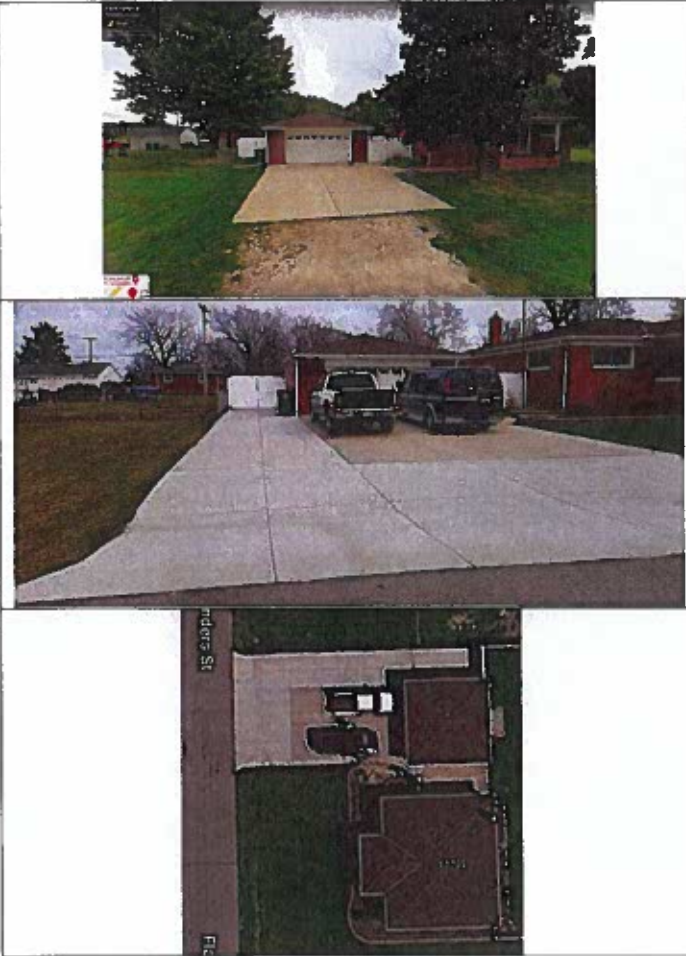
Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

11185 Morningview.

			
Permit Information			
Number	PB19 0468	Category	ZONING
Type	Building	Status	EXPIRED
Applied Date	06/07/2019	Expire Date	12/21/2019
Issue Date	06/24/2019	Finalized Date	No Data to Dis
Work Description	R & R DRIVEWAY 36 X 4.5 AS PER APPROVED PLAN.		
11185 Morningview. The street is parallel to the house and allows parking on both sides of the street. Note: They have an extended concrete driveway (including the easement) and they also have an additional concrete pad on the side of the garage that they are using as a parking spot. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (The extended drive was Approved by Southgate BD – Permit) (WALKING DISTANCE) Built 1997 (1292.01 Ord 458 passed Jan 4 1989) off street parking.			

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

13739 Flanders St.





RECEIVED
APR 23 2020
CITY OF SOUTHGATE
BUILDING DEPARTMENT

City of Southgate
DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
14400 DEER CREEK ROAD, SOUTHGATE, MICHIGAN 48196
PHONE: (734) 255-3930
FAX: (734) 255-6670
www.cityofsouthgate.com

BUILDING MODERNIZATION PERMIT
(OTHER THAN ADDITIONS AND ALTERATIONS)

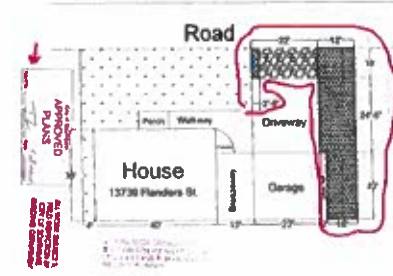
DATE: 3/18/2020

Owner Information	13739 Flanders	Ap/Con/ct:
	Michael Rouse	
	Address: 13739 Flanders	City: Southgate State: MI Zip: 48196
	Phone: 734-837-3128	
Contractor Information	THIS APPLICATION WHEN PROPERLY SIGNED GRANTS PERMISSION FOR:	
	Name: Olive Carpet Co. Inc. Phone: 734-789-9898 Fax: 734-789-0452	
	Address: 24253 Charles Dr. City: Brownstown State: MI Zip: 48163	
	Signature: <i>Marcel A. Selwa</i> Email: selwa.marcel@olivecarpet.com	

To Install: Replace driveway 11x80 (4) ribbons 11x17 approach 17x24

Estimated Cost of Construction: \$2,600.00 Permit Fee: \$

Approved by: *[Signature]*



Permit Information

Number	PB20-0137	Category	DRIVEWAY
Type	ZONING	Status	EXPIRED
Applied Date	04/23/2020	Expire Date	12/08/2020
Issue Date	06/11/2020	Final Date	No Data to Display
Work Description	REPLACE DRIVEWAY 11 X 60 (4) RIBBONS 11 X 17, APPROACH 17 X 24 AS PER APPROVED PLAN.		

13739 Flanders St. The street is parallel to the house and allows parking on both sides of the street. Note: They have an extended concrete driveway (including the easement) and they also have an additional concrete pad on the side of the garage. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (The extended drive was Approved by Southgate BD – Zoning Permit PB20-0137)

This was approved with a building Modernization Permit, what is this?

Note the permit highlights Replace Driveway and from the pictures and layout drawing it shows only adding new (note that the old driveway was not replaced)

Note Permit PB20-0137 expired and when I called BD, it was explained to me since it was a zoning permit only needs all require (the layout was approved) so the final inspection was not needed.

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

13720 Flanders St.

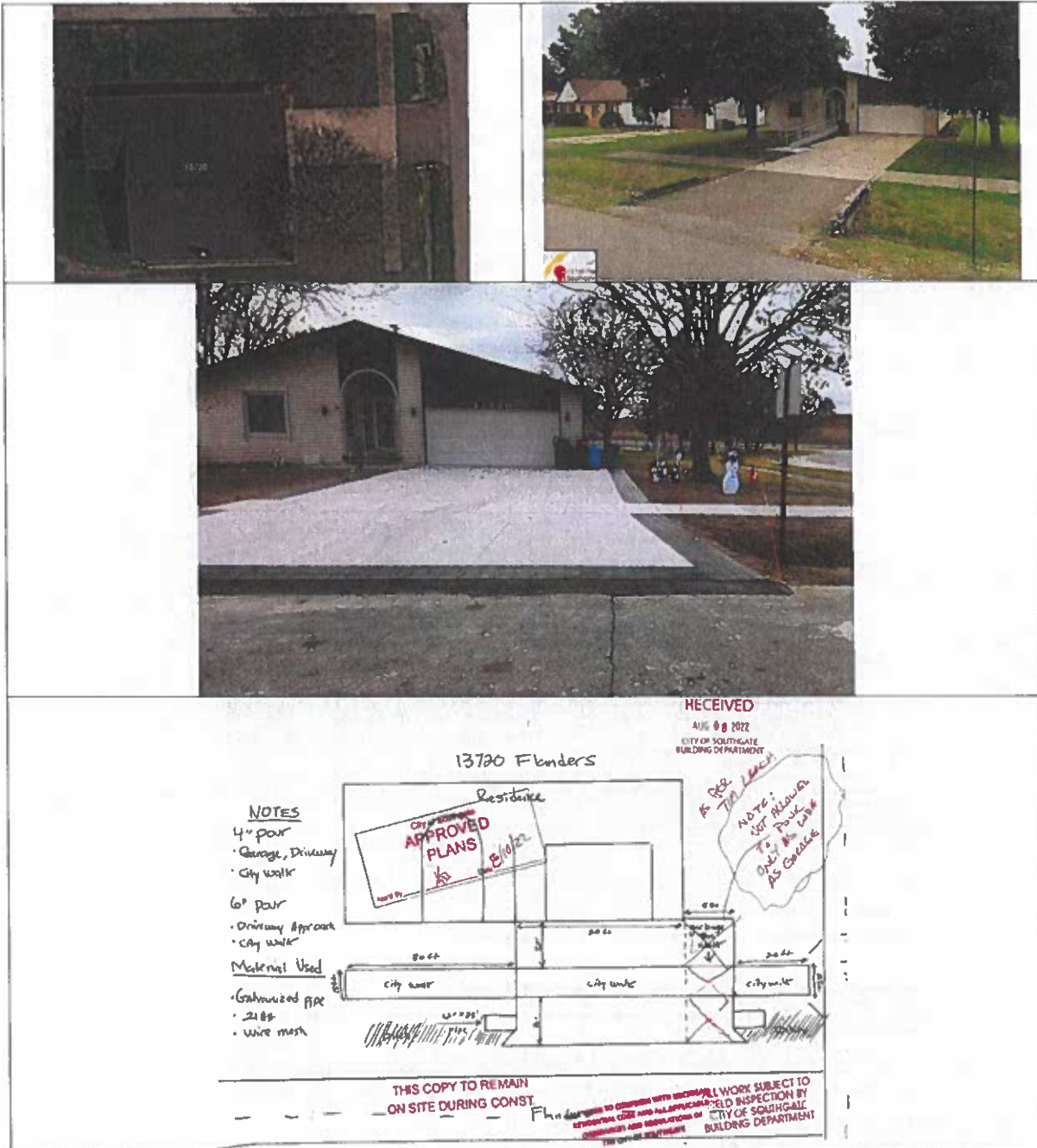


Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022



City of Southgate
DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
1480 Da. Toledo, Southgate, MI 48195
Office: 734-335-3859 Fax: 734-331-6670

Issued: 08-11-2022
Expires: 02-07-2023

CONCRETE
CEMENT WORK

Permit Number : PB22-0777

INSPECTION FEE: \$34.754-34.754 Must call for an inspection 24 hours in advance. Leave a message and your inspection will be performed on the business day following your call, unless otherwise specified.

Building: Main-Fix, between E-38-4738, PARALLEL TO CALL FOR AN INSPECTION WILL RESULT IN ADDITIONAL CHARGES.

Post Permit So That It is Visible From The Street

LOCATION	OWNER	APPLICANT
13720 FLANDERS B-1B SOWE E 814 53 034 02 0061 110	ROBSON JR, WILLIAM DALE UNIT 7008 BOX 171 DPO AB 09211 Phone	ROBSON JR, WILLIAM DALE UNIT 7008 BOX 171 DPO AB 09211 Phone

Work Description: R & B GARAGE FLOOR, DRIVEWAY, CITY SIDEWALK AND APPROACH AS PER APPROVED PLANS

Signatories:

Permit Item	Work Type	Unit Cost	Fee Base	Item Total
APPLICATION (BUILDING)	Standard Fee	50.00	1.00	50.00
CONSTRUCTION PERMIT: \$ 0 TO \$10,000	Permit	120.00	6,000.00	120.00
PLAN REVIEW	Plan Review	30.00	6,000.00	70.00
Fee Total:				2150.00
Assess Fee:				1190.00
Balance Due:				56.00

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, on any part thereof unless temporary or permanently.



Permit PB22-0777

RECOMMENDATION:

Due to the unusual and short configuration of driveways in many of the City's platted subdivisions this could be considered a practical difficulty and we recommend approval of the requested variance.



Capitla Wortman Associates, Inc.
John Enos, AICP
Principal



Capitla Wortman Associates, Inc.
Alissa Starling
Planner

Approved by CWA

B. Eriberto & Adela Lopez – 13720 Flanders are requesting a dimensional variance for a driveway extension of (5) feet in the R-1B, Single Family Residential District.

Notices were sent out.

No public comments were received.

Motion by Martin, supported by Foirier, to open this Public Hearing.

Plan Consultant Starling stated the applicant is requesting a dimensional variance for a driveway extension of five (5) feet in the R-1B Single-Family Residential District. The subject site is located at 13720 Flanders, between Walnut Street and Superior Street. The Zoning requires when a garage is present, the driveway shall be the width of the garage itself, per Section 1292.03(k)(5). Application notes there is a ditch on each side of the existing driveway and is not safe for backing out of, in addition, applicant owns a utility trailer and must go into neighbor's yard to make the sharp turn that is required for existing driveway.

The applicant stated they just need that extra (5) five feet to maneuver in his driveway easier.

Due to the unusual and short configuration of driveways in many of the City's platted subdivisions, this could be considered a practical difficulty and we recommend approval of the requested variance.

Moved by Foirier, supported by Martin, to close this Public Hearing. Motion carried unanimously.

Discussion was held by the Board.

Moved by Martin, supported by Richardson, that the Board of Zoning Appeals, **SUPPORT and APPROVE**, the application at the request of Eriberto & Adela Lopez, 13720 Flanders, Southgate MI, for a dimensional variance for a driveway extension of (5) feet in the R-1B, Single Family Residential District. Motion Carried Unanimously.

BZA Meeting 9/12/22 – Board Approval

13720 Flanders St. The street is parallel to the house and allows parking on both sides of the street. Note: They have an extended concrete driveway (including the easement). They applied for an affidavit and permit on 7/26/22 with layouts. Plans received by Building Department on 8/8/22. Plans approved by Craig Brown on 8/10/22 (via stamp) (Note Mr. Brown denied my layout back in March 2022, (for details review original BZA dated 10/17/22)). Hand notes from Tim Leach between 8/10 and 8/12 declining approval per ordinance 1292.03 5-k-5 Letter to Owner denying the request sent 8/12 (SG Stamp said received 8/15/22) 8/15/22 Owner applied for BZA (BZA 03-2022) CWA Approved 8/30/22 (Note the CWA denied my request 11/3/22) BZA Meeting 9/12/2022 – Board Approved

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

Form No. 02

RETURN TO:
Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48185

Case No. BZA _____

Date Received _____

**CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS**

Concerning an appeal to vary or modify certain regulations established in TITLE SIX, commonly referred to as the Zoning Code for the City of Southgate:

TO BE COMPLETED BY THE APPLICANT:

Owner/Applicant	Agent
Name Raymond / Sarah Good	Name _____
Address 12930 Churchill	Address _____
Southgate, MI. 48195	_____
(City) (State) (Zip)	(City) (State) (Zip)
Telephone 313-402-8635	Telephone _____

Information regarding the site:

Street Address: **12930 Churchill**

Major Cross Streets: **McCann - Northline**

Parcel No. **53 005 02 0050 000**

Acreage: **0.189** Dimensions of Parcel: **55.00ft x 130.46ft**; frontage: **55.00 ft**

Current Zoning (please circle): RE R-1 R-1A R-1B RM RO C-1 C-2 C-3 M-1 MH PD P-1

Current Use: **Residential**

Requested action:

- ☐ Dimensional Variance Requested Variance: _____
(For example - Front yard setback from 25 feet to 20 feet.)
- ☐ Interpretation of the Zoning Ordinance or Map
- ☐ Appeal from the Planning Commission or Zoning Administrator
- ☐ Other
Please Specify _____

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

Board of Zoning Appeals Application
Page 2

Information regarding request:

I hereby request a hearing before this body to:

(Please supply detailed information. For example, why you are requesting the proposed action, a complete description of the project, how the request is compatible with adjacent land uses and zoning districts, any information you feel is pertinent to your application, etc. Feel free to attach additional documents to this application if it will help describe your project or if you need more room than is provided below.)

Requesting a variance for an Access Drive per 1294.08 Access Through Yard (Fig. 1a) and if granted it would allow access to accessory in rear yard and eliminating further damage to my front and side yard.

- We currently don't have an adjacent land user and the project will be within the property lines.
- I submitted a City of Southgate Building Permit Application (Fig. 5) to install an Access Drive per 1294.08 (Fig. 1a) and the Building Department denied my application noting that we are in violation of Ordinance 1292.03 (k)(6) (Fig. 1b) "may install a driveway as wide as the front garage wall".
- I requested a meeting to discuss zoning code 1294.08 with the Southgate Building Department and they replied via email "No need for a meeting. This isn't a point you're going to change my view on". (Fig. 2a)

A SKETCH CLEARLY DEPICTING THE REQUEST MUST BE ATTACHED TO THIS APPLICATION FOR IT TO BE VALID. IF REQUESTING A DIMENSIONAL VARIANCE, FORM 02A MUST BE ATTACHED.

Fig. 3a & 3b

The Applicant / Agent must appear before the Board of Zoning Appeals on _____
(Date)

THE OWNER / AGENT OF THE PROPERTY DESCRIBED ON THIS APPLICATION SUBMIT THAT ALL STATEMENTS HEREIN AND IN THE DOCUMENTS PROVIDED ARE TRUE.

Signature – Owner / Agent: _____ Date: _____

To review your application properly, Board of Zoning Appeals members may need access to the property in question. Please initial if permission is given for property access. INITIALS _____

Fees must be paid at the same time this application is submitted to the City.

OFFICE USE:

Date Received: _____ Received By: _____
(Staff's Name)

Fee Charged: _____

Check No.: _____ Receipt No.: _____

Created on February 15, 2007
Revision Record:

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

**ATTACH TO YOUR BZA APPLICATION
AND RETURN TO:**
Building Department
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48195

Form No. 02A

Case No. BZA _____

Date Received _____

**APPLICATION FOR BOARD OF ZONING APPEALS
DIMENSIONAL VARIANCE**

The City of Southgate Board of Zoning Appeals is required by state law to support its decisions with evidence of "practical difficulty." In order to prove your property is entitled to a variance, please provide answers to the following questions:

1. Why compliance with the Ordinance results in a practical difficulty?

I have an accessory located in my rear yard and I am being denied an "Access Drive" to access it.

Zoning Code 1294.08 Access Through Yard (Fig. 1a) states that an access drive may be placed in the required front or side yard and these drives **Shall Not be considered as structural violations**, and any combination of a drive is considered a structure and shall be permitted in any required yard.

2. Why the problem requiring the variance is unique to your property and not shared by properties in the same zoning district?

This is unique to my situation because I have been denied an "Access Drive" when many properties within Southgate meet the requirements of 1294.08 (Access Through Yard (Fig. 1a)) and have an approved permit from the city. 13739 Flanders St (Access Drive) (Fig. 6)

They have an accessory in the rear yard.

They have a short path leading from a public road to an accessory.

They have an Access Drive in the front and side yards that allow them access to an accessory in the rear yard (these drives shall not be considered as structural violations per 1294.08 (Fig. 1a)).

3. Why the problem is not self-inflicted?

The problem is not self-inflicting:

I feel that this is not self-inflicting. I use the front and side yards to access my rear yard, but this repetitive action is causing damage to my yard. What I am trying to do is reduce the blight caused by driving over the yard. Installing an Access Drive would eliminate any blight that may lead to future code violations and penalties.

I meet the requirements of 1294.08 that would allow an Access Drive to access the rear yard.

Fact 1. I have an accessory in the rear yard.

Fact 2. I have a short path leading from a public road to an accessory.

Fact 3. I am missing an Access Drive that zoning code 1294.08 allows. Also, I would like to avoid further damage to my yard.

Fact 4. This is a general exception that the city recognizes by having its own Zoning Code 1294.08 Access Through Yards. This Zoning Code accommodates the residents of Southgate and their need for an access drive.

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

4. That the variance is the minimum necessary to permit reasonable use of the property?

Yes, this approved variance would allow reasonable use of the property by allowing access to my accessory in the rear yard.

This would also improve the aesthetics of our property without disturbing the integrity of our neighborhood.

The consequences of a denial will lead to damage to my lawn (dirt paths, blight). Ultimately affecting future curb appeal and future ordinance violations.

5. That the variance, if granted, would not compromise the public health, safety and welfare?

If granted it would not compromise public health, safety, and welfare.

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

1294.08 ACCESS THROUGH YARDS.

For the **purpose** of this Zoning Code, **access drives** may be placed in the required **front** or **side yard** so as to provide access to accessory or attached structures. These drives **shall not** be considered as **structural violations** in **front** and **side yards**. Further, no walk, terrace or other pavement servicing a like function, and not in excess of nine inches above the grade upon which it is placed, shall, for the purpose of this Zoning Code, be considered to be a structure, and the same **shall** be permitted in any **required yard**.

Fig. 1a

1292.03 LAYOUT, CONSTRUCTION AND MAINTENANCE OF PARKING AREAS.

(k)(6) Single-family residences with an attached garage on a cul-de-sac or concaved curve lot at the street property line may install a driveway as wide as the front garage wall, subject to Section 1298.04(a)(1), containing the vehicle entrance door; however, the drive must gradually taper to the City sidewalk not to exceed forty percent of the front lot width.

Fig. 1b

Note: I sent an email to Tim asking for a meeting to discuss 1294.08.

Per Tim Leach Email:

"No need for a meeting. **This isn't a point you're going to change my view on.**"

(Note Ray Good clipped email and enlarged the font.)

Fig. 2a

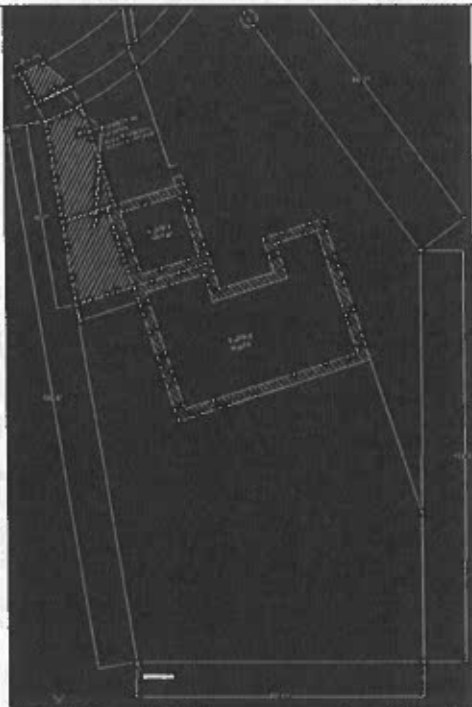


Fig. 3a (Access Drive Location)

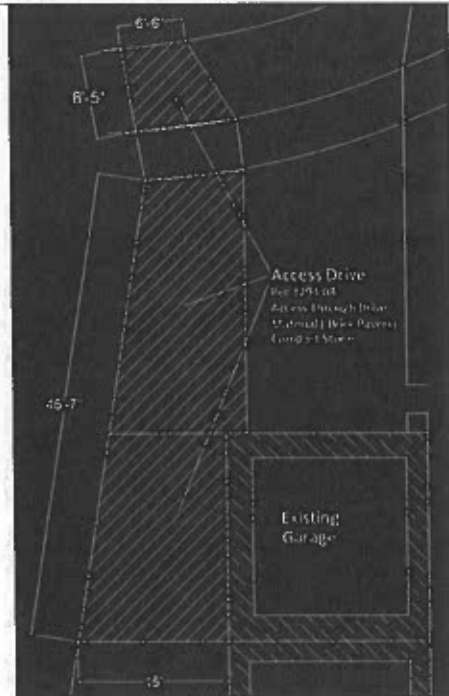


Fig. 3b (Access Drive Location)

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023



City of Southgate
 DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
 14400 DIX-TOLEDO ROAD, SOUTHGATE MICHIGAN 48195
 PHONE: (734) 286-3027
 FAX: (734) 281-6670
www.southgatemi.org

March 29, 2023

Raymond Good
 12930 Churchill
 Southgate, MI 48195

The application to install an access drive on approach, front and side yard @ 12930 Churchill has been reviewed.

This proposed site plan is not permitted as defined by Section 1292.03 (k) (6) of the Planning and Zoning code. (See Attached).

In view of the above, by law, your request must be denied. If you have any questions, feel free to contact the Building Department @: 734-286-3010 ext. 3131

Sincerely,

Timothy L. Leach
 Building Inspections Director

TLL/mvg

Fig. 4 (Denial Letter)

Number	PB23-0135	Category	DRIVEWAY
Type	ZONING	Status	HOLD FOR INVOICE
Applied Date	03/22/2023	Expire Date	No Data to Display
Issue Date	No Data to Display	Final Date	No Data to Display
Work Description	INSTALL ACCESS DRIVE (PER 1294.08) LOCATION (APPROACH,FRONT,SIDE YARD) MATERIAL: BRICK PAVERS AS PER APPROVED		

Fig. 5 (City of Southgate Building Permit Application)(12930 Churchill)

Number	PB20-0137	Category	DRIVEWAY
Type	ZONING	Status	EXPIRED
Applied Date	04/23/2020	Expire Date	12/08/2020
Issue Date	06/11/2020	Final Date	No Data to Display
Work Description	REPLACE DRIVEWAY 11 X60 (4) RIBBONS 11 X 17, APPROACH 17 X24 AS PER APPROVED PLAN.		



Fig. 6 (13739 Flanders St – Access Drive)

Exhibit 4: Additional Access Drives







RECEIVED
APR 23 2020
CITY OF SOUTHGATE
BUILDING DEPARTMENT

City of Southgate
DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
14400 DIX TOLEDO ROAD, SOUTHGATE, MICHIGAN 48195
PHONE: (734) 256 3030
FAX: (734) 281 6670
www.southgatemi.org

BUILDING MODERNIZATION PERMIT
(OTHER THAN ADDITIONS AND ALTERATIONS)

DATE: 3/18/2020

Owner Information	Job Address: 13739 Flanders	Rep/Comment:
	Owner: Michael Rouse	
	Address: 13739 Flanders	City: Southgate State: MI Zip: 48196
	Phone: 734-937-3128	
Contractor Information	THIS APPLICATION WHEN PROPERLY SIGNED GRANTS PERMISSION TO:	
	Name: Olive Cement Co. Inc.	Phone: 734-789-9988 Fax: 734-789-9482
	Address: 24253 Charles Ct.	City: Brownstown State: MI Zip: 48183
	Signature: Marco A. Salinas	Email: oscar.salinas@gmail.com

To Install: Replace driveway 11x60 (4) ribbons 11x17 approach 17x24

Estimated Cost of Construction: \$ 7,500.00 Permit Fee: \$

Approved by: *[Signature]*



Permit Information

Number PB20-0137

Type ZONING

Applied Date 04/23/2020

Issue Date 06/11/2020

Category DRIVEWAY

Status EXPIRED

Expire Date 12/08/2020

Final Date No Data to Display

Work Description REPLACE DRIVEWAY 11 X60 (4) RIBBONS 11 X 17, APPROACH 17 X24 AS PER APPROVED PLAN.

13739 Flanders St. The street is parallel to the house and allows parking on both sides of the street. Note: They have an extended concrete driveway (including the easement) and they also have an additional concrete pad on the side of the garage. (The access drive was Approved by Southgate BD – Zoning Permit PB20-0137)

Note: The project was approved by Tim Leach, the current Building Department Director.

This was approved with a building Modernization Permit, what is this?

Note the permit highlights Replace Driveway and from the pictures and layout drawing it shows only adding new (note that the old driveway was not replaced)

Note Permit PB20-0137 expired and when I called BD, it was explained to me since it was a zoning permit only needs all require (the layout was approved) so the final inspection was not needed.

Exhibit 4: Additional Access Drives



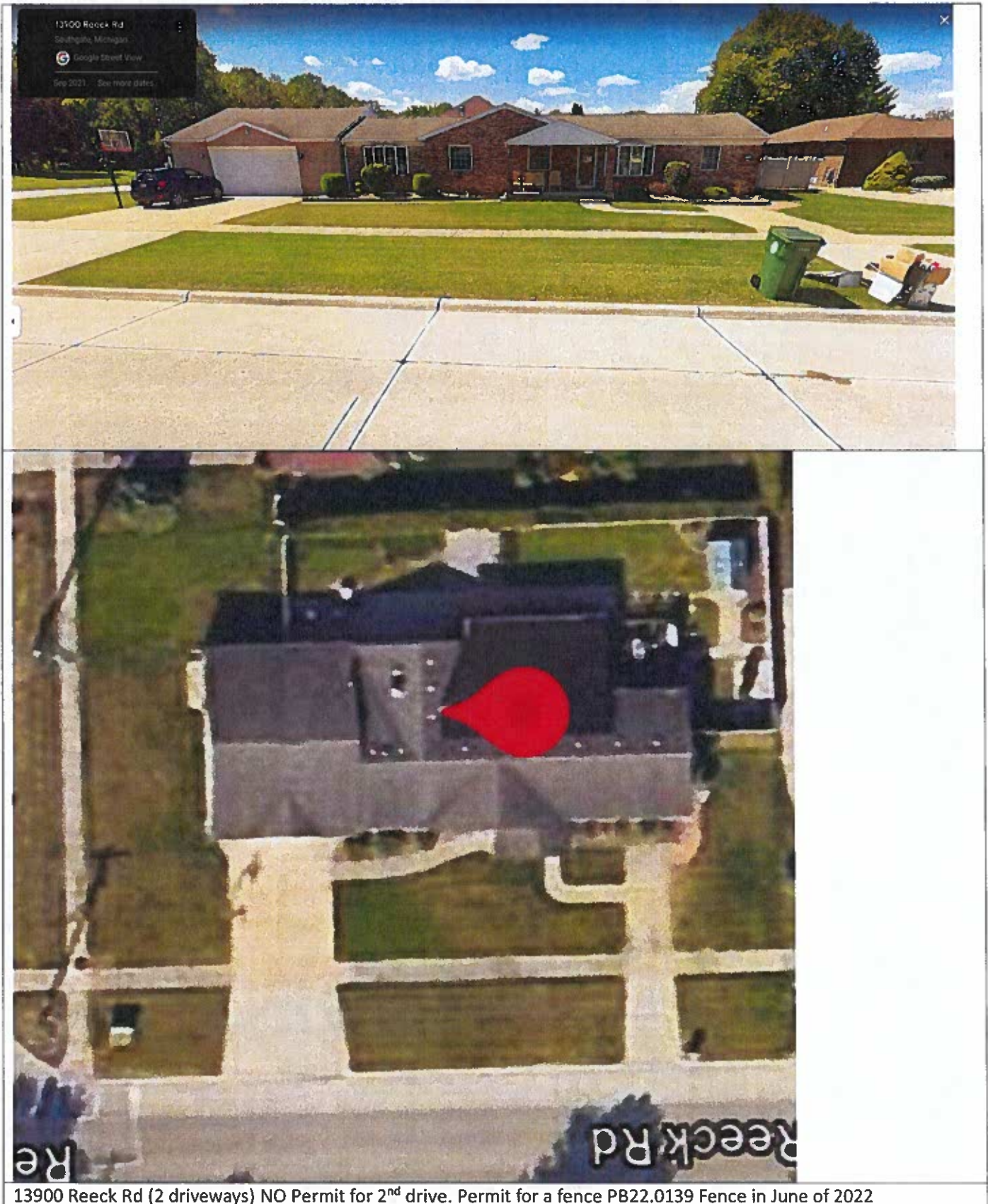
18625 Goddard Rd (Access Drive 2 driveways) (not a circle drive) NO Permit

Exhibit 4: Additional Access Drives



13205 Westminster St (Access Drive) (accessory garage and shed) (no permit for pavers), permit for (PB22-0513) a shed in June of 2022

Exhibit 4: Additional Access Drives



13900 Reeck Rd (2 driveways) NO Permit for 2nd drive. Permit for a fence PB22.0139 Fence in June of 2022

Exhibit 4: Additional Access Drives



13807 Humphrey St (Extend Driveway or access drive. No permit.

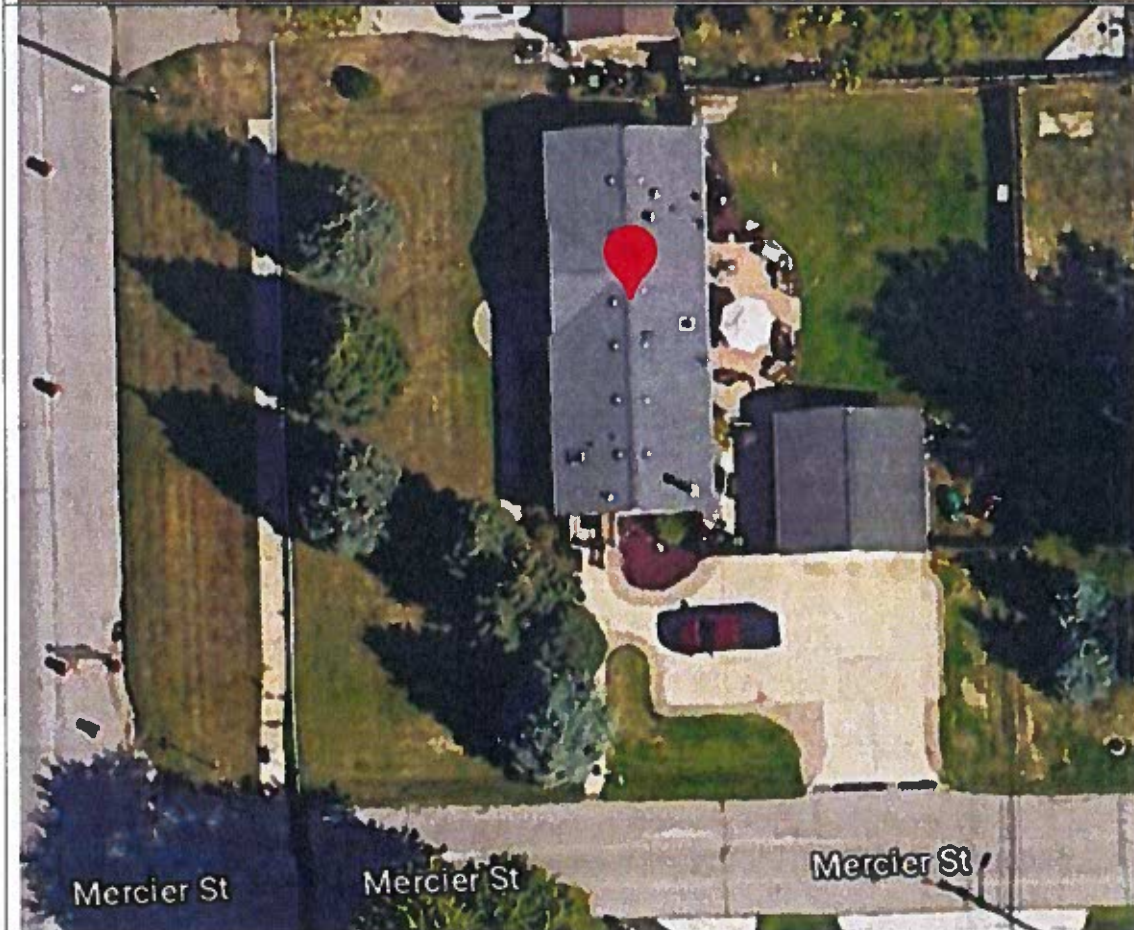
Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



14463 Allen Rd (Extended Drive and grass access drive) No Permit (last visit was NA)

Exhibit 4: Additional Access Drives

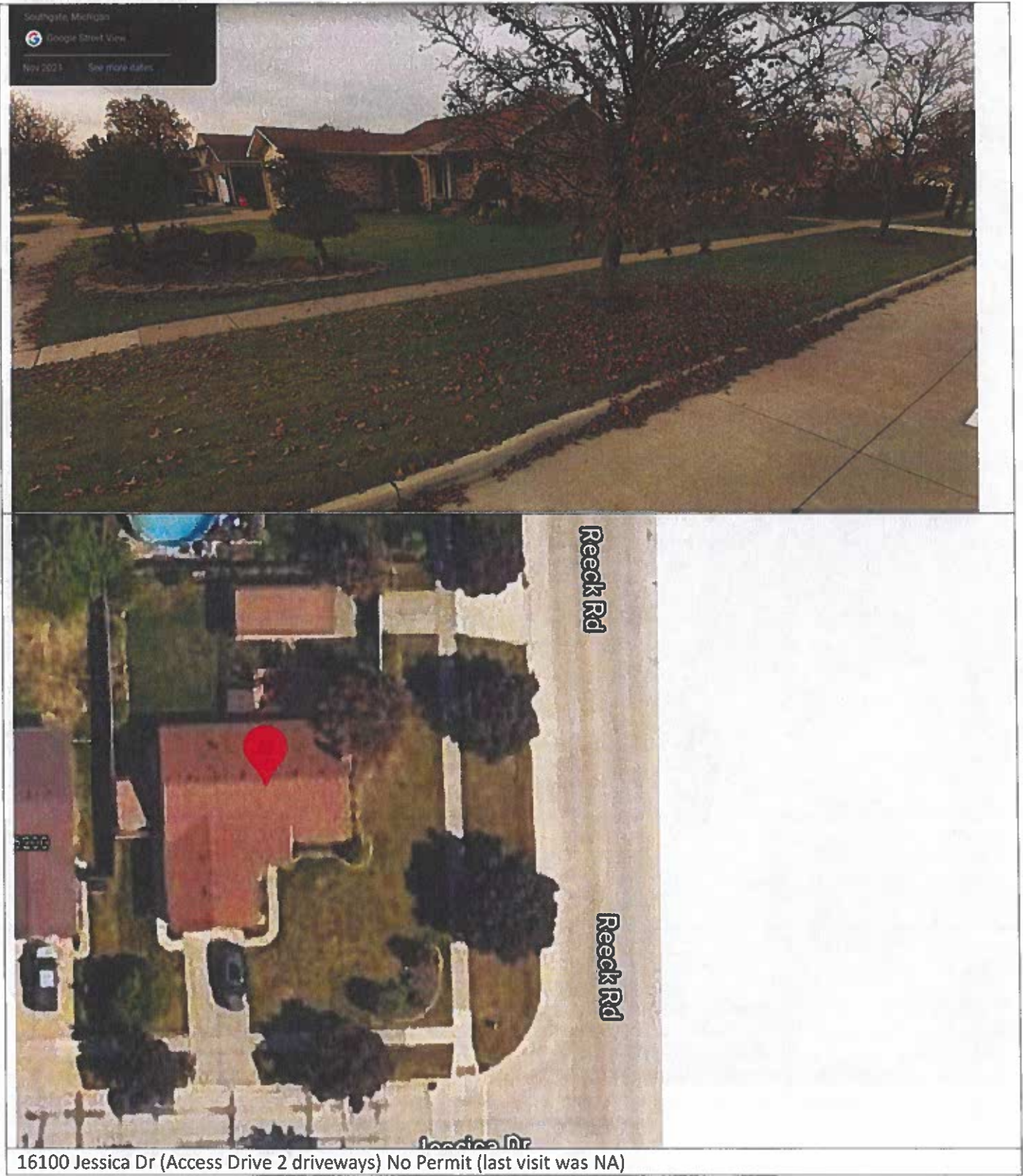


Exhibit 4: Additional Access Drives

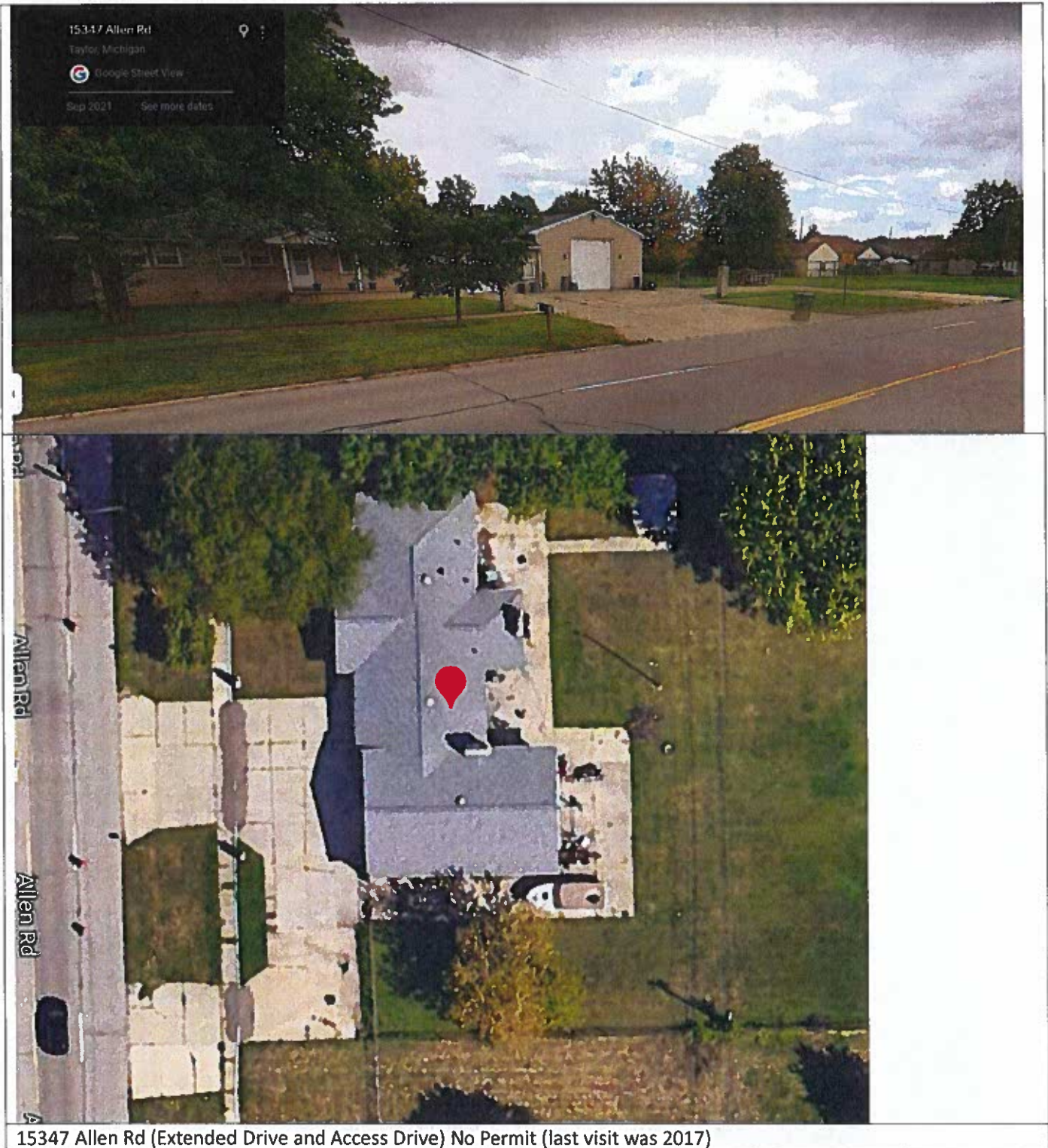


Exhibit 4: Additional Access Drives

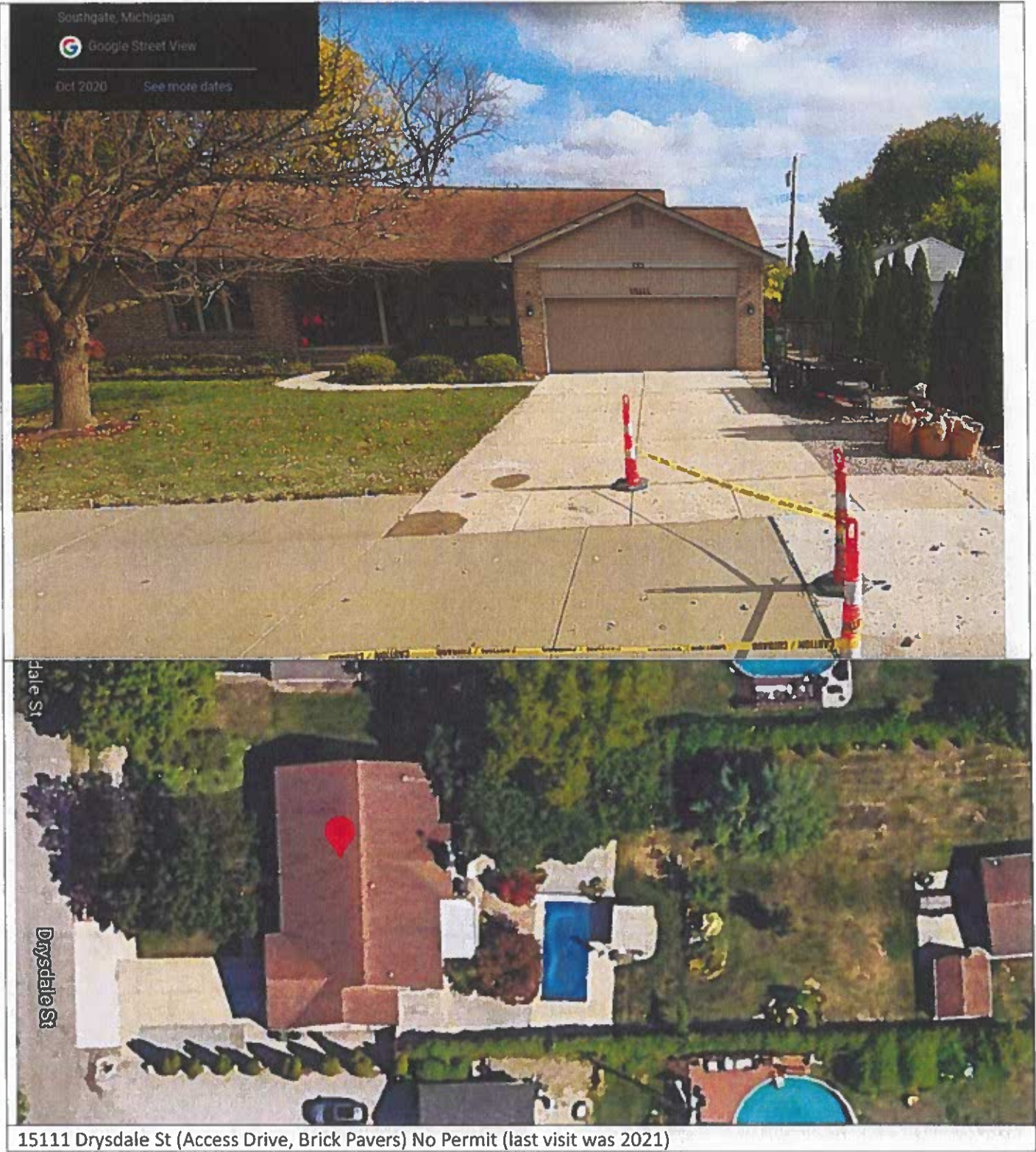


Exhibit 4: Additional Access Drives

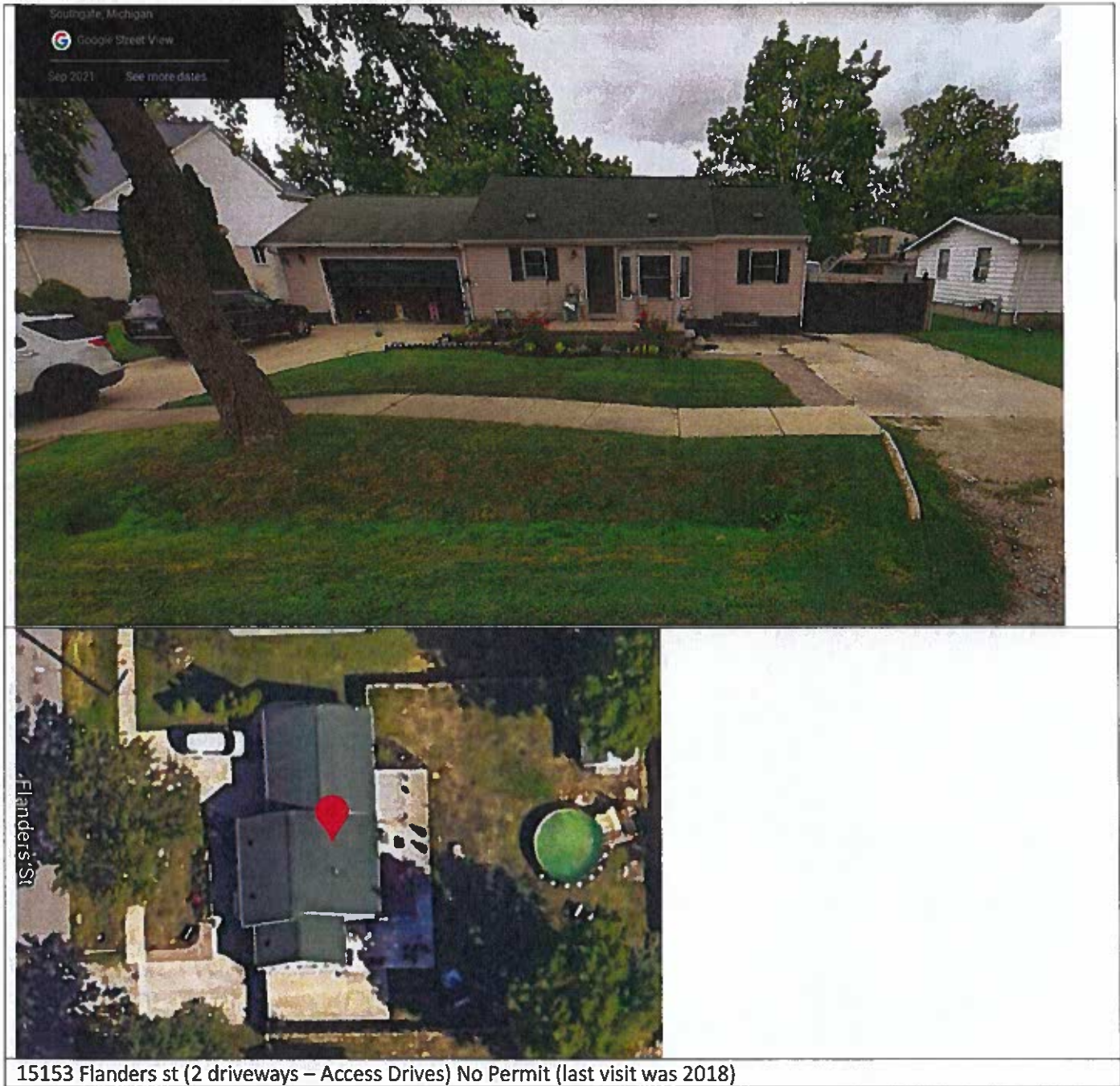


Exhibit 4: Additional Access Drives



15300 Drysdale St (Access Drive) (Gravel) No Permit (last visit was NA)

Exhibit 4: Additional Access Drives



15863 Allen Rd (Access Drive) Dirt and Grass No Permit (last visit was 2020)

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives

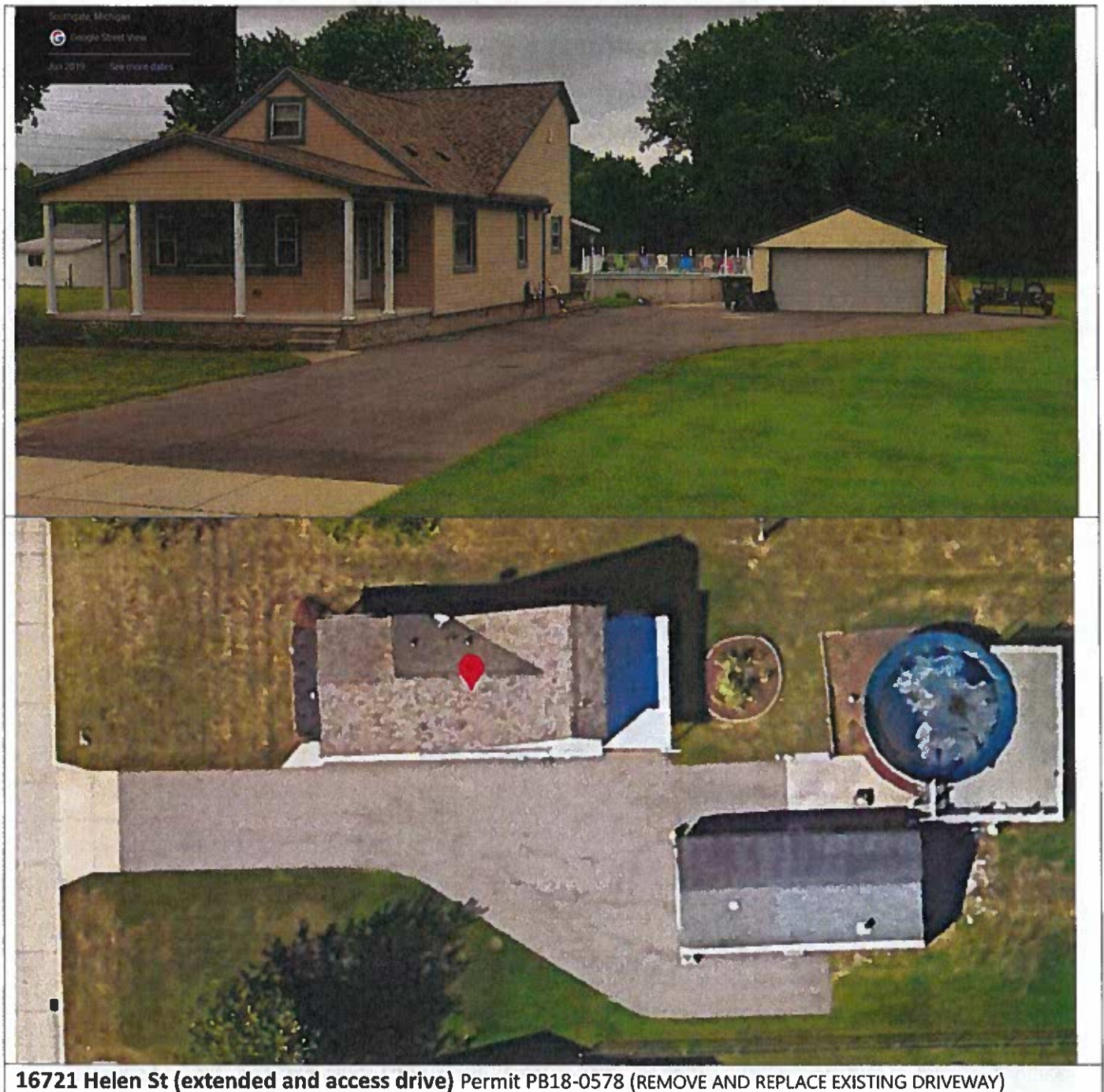


Exhibit 4: Additional Access Drives

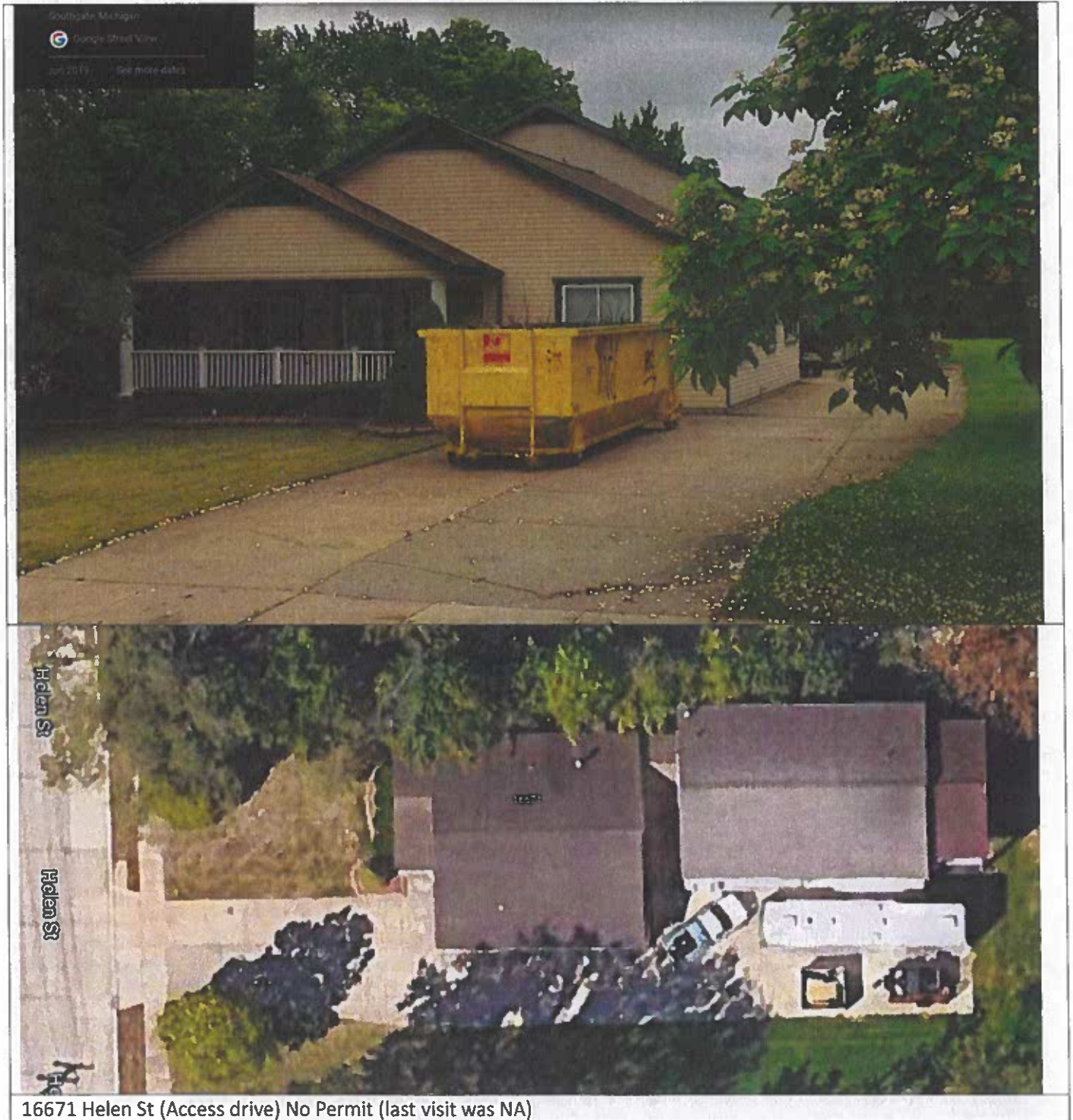


Exhibit 4: Additional Access Drives



16029 Helen St (Access Drive) Permit PB18-0188 (R & R DRIVEWAY 17' X 22' X 4" R & R APPROACH 11' X 20' X 6" INSTALL 4" PAD 24' X 12' SERVICE WALK 5' X 12' INSTALL 10' X 20' PARKING PAD. AS PER APPROVED PLAN.)

Exhibit 4: Additional Access Drives

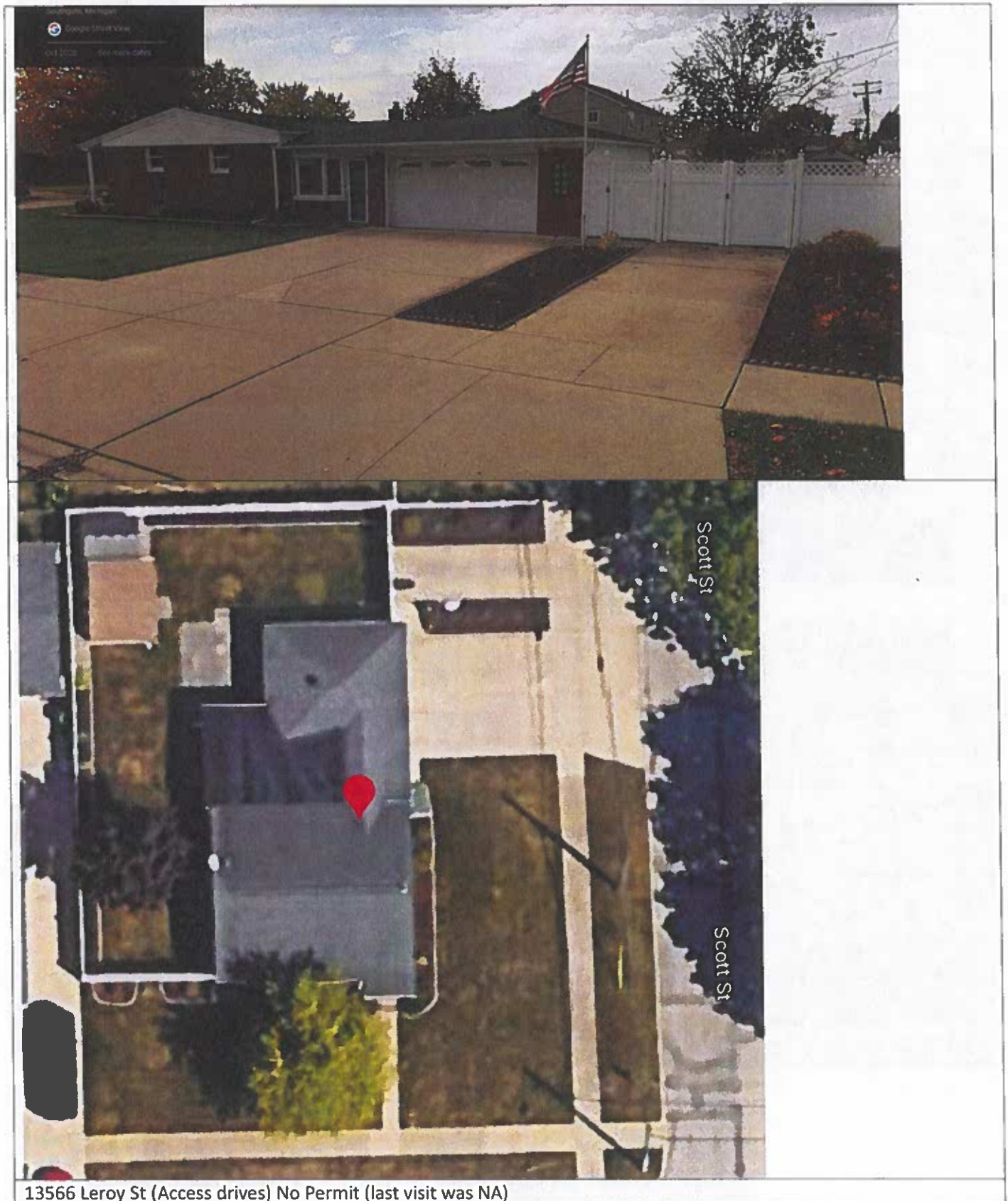
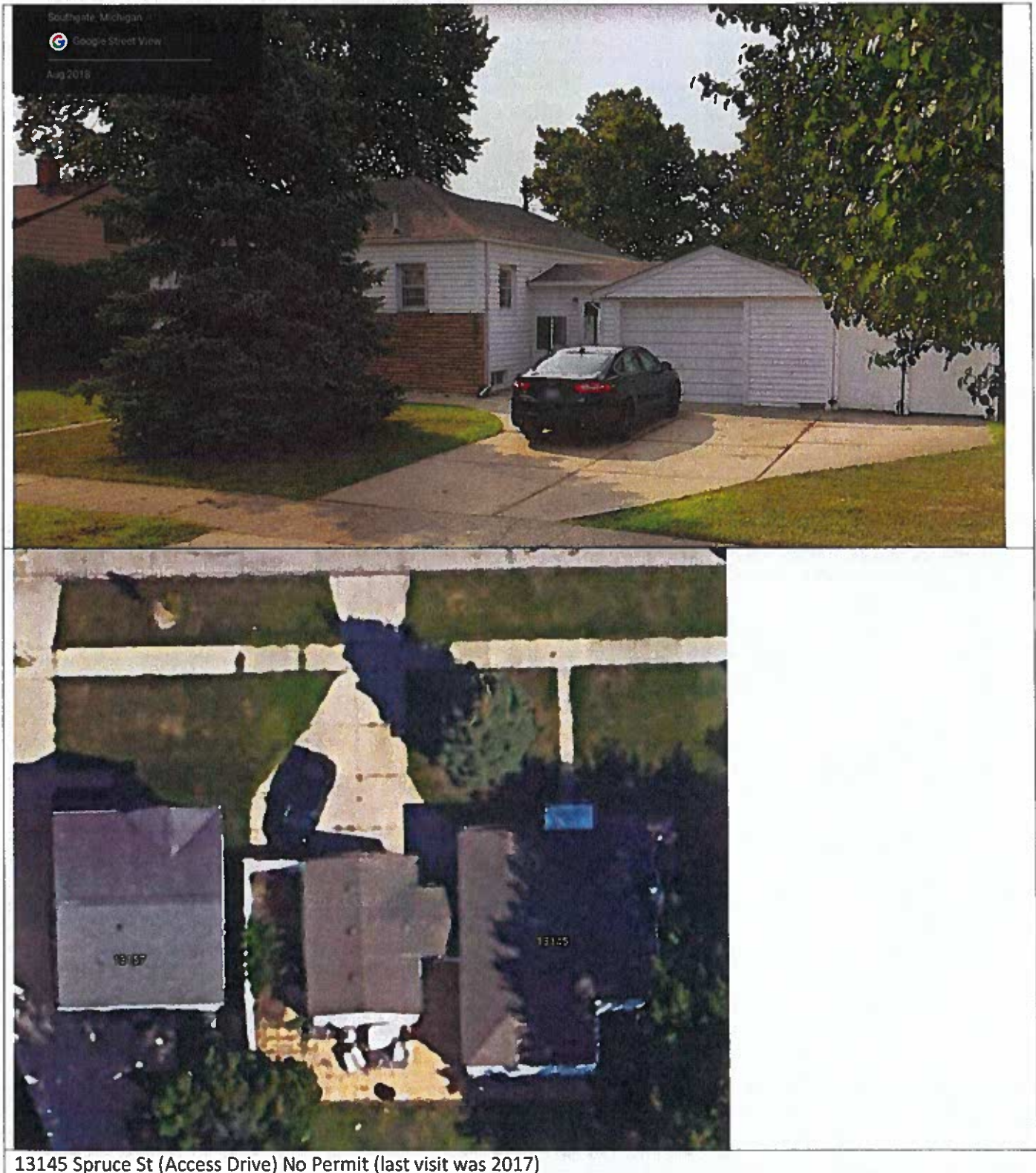


Exhibit 4: Additional Access Drives



13145 Spruce St (Access Drive) No Permit (last visit was 2017)

Exhibit 4: Additional Access Drives



14405 Longtin St (Access Drive (gravel)) No Permit (last visit was 2019)

Exhibit 4: Additional Access Drives

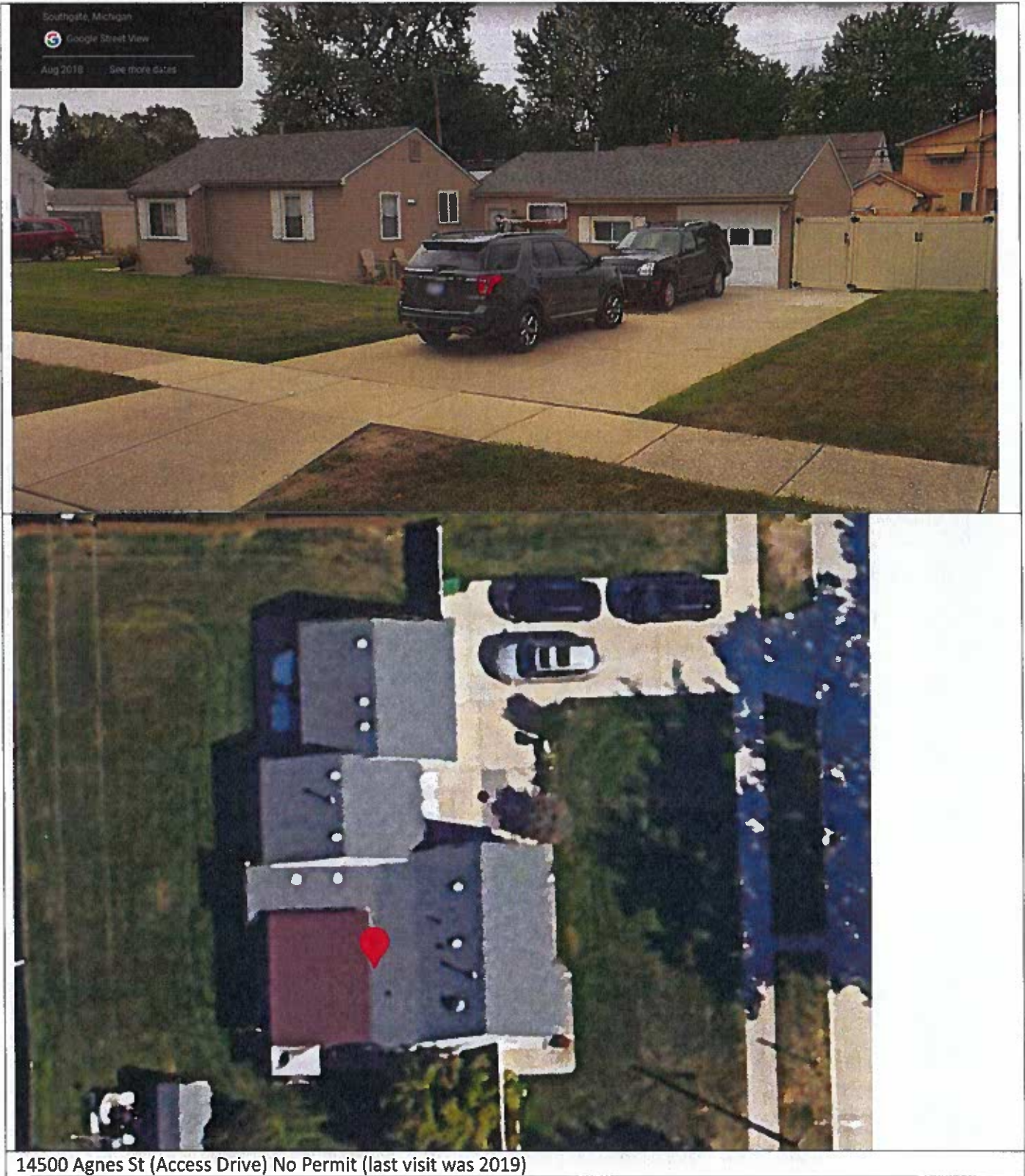


Exhibit 4: Additional Access Drives

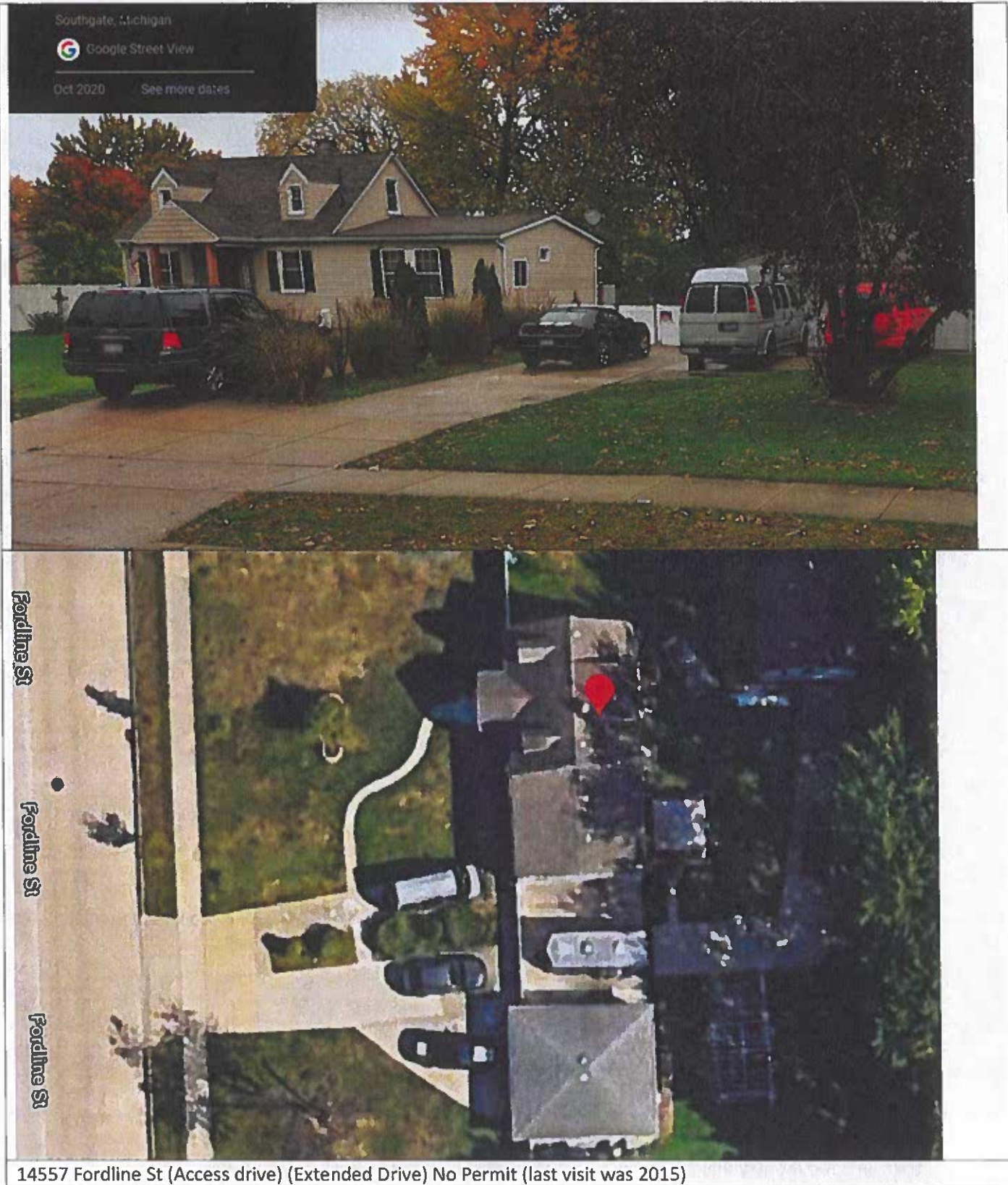


Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives

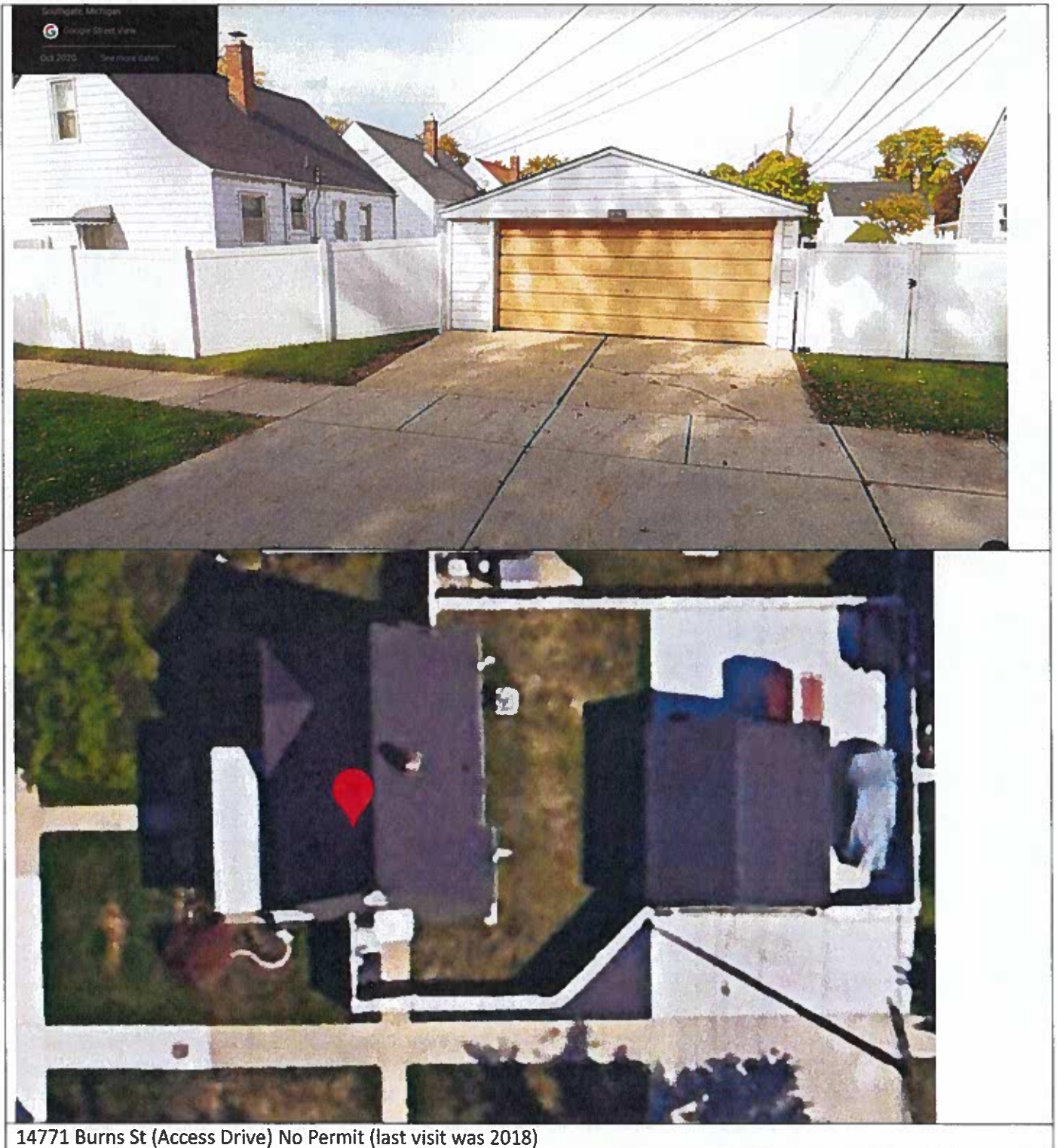


Exhibit 4: Additional Access Drives



13672 Argyle St (Access Drive) Gravel) No Permit (last visit was 2018)

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



13248 Rosedale St (Access Drive / Extended Drive) Permit PB20-0385 (MAKE DRIVEWAY WIDER. AS PER APPROVED PLAN.)

Exhibit 4: Additional Access Drives



14212 Northline Rd (Access Drives / 2 driveways) No Permit (last visit was 2021 New Sidewalk)

Exhibit 4: Additional Access Drives



13615 Karl St (Access Drive) Permit PPJ13-0004 (INSTALL DRIVEWAY, CONCRETE PAD W/ RATWALL. AND CONCRETE PAD BEHIND STORAGE. NOT TO BE COVERED. AS PER APPROVED PLANS.)

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives

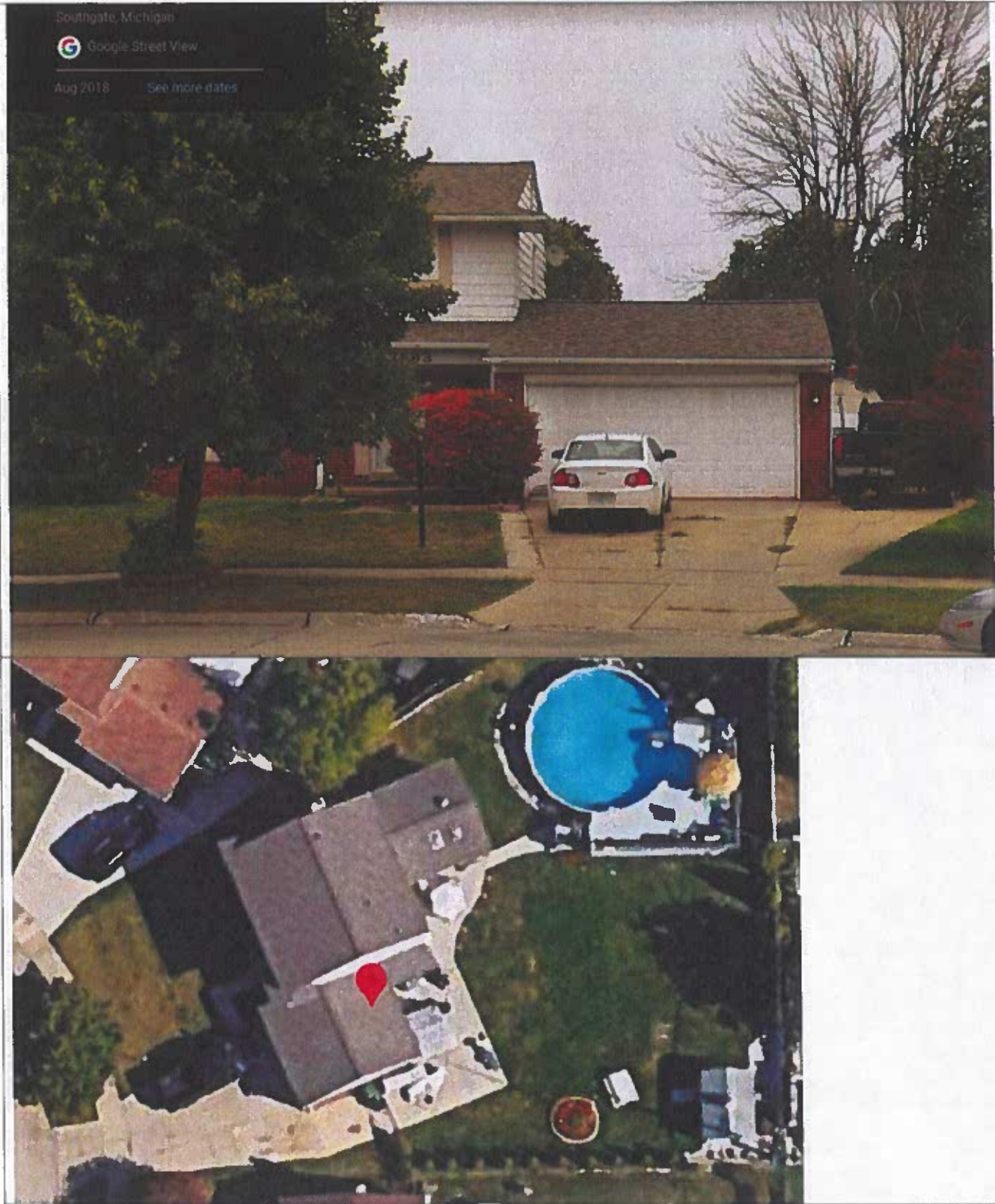


Exhibit 4: Additional Access Drives



13363 Kimberly St (Access Drive) Website NA

Exhibit 4: Additional Access Drives



13593 Windermere St (Access Drive) Website NA

Exhibit 4: Additional Access Drives



13585 Windermere St (Access Drive) No Permit (last visit was NA)

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



12301 Kent Ct (Access Drive) Permit PB16-0372 (R & R 7' X 11' APPROACH @ 6" , APPROX. 510 S/F OF DRIVE @ 4" R & R 7' X 15' DRIVE SQUARE. AS PER APPROVED PLAN.)

Exhibit 4: Additional Access Drives

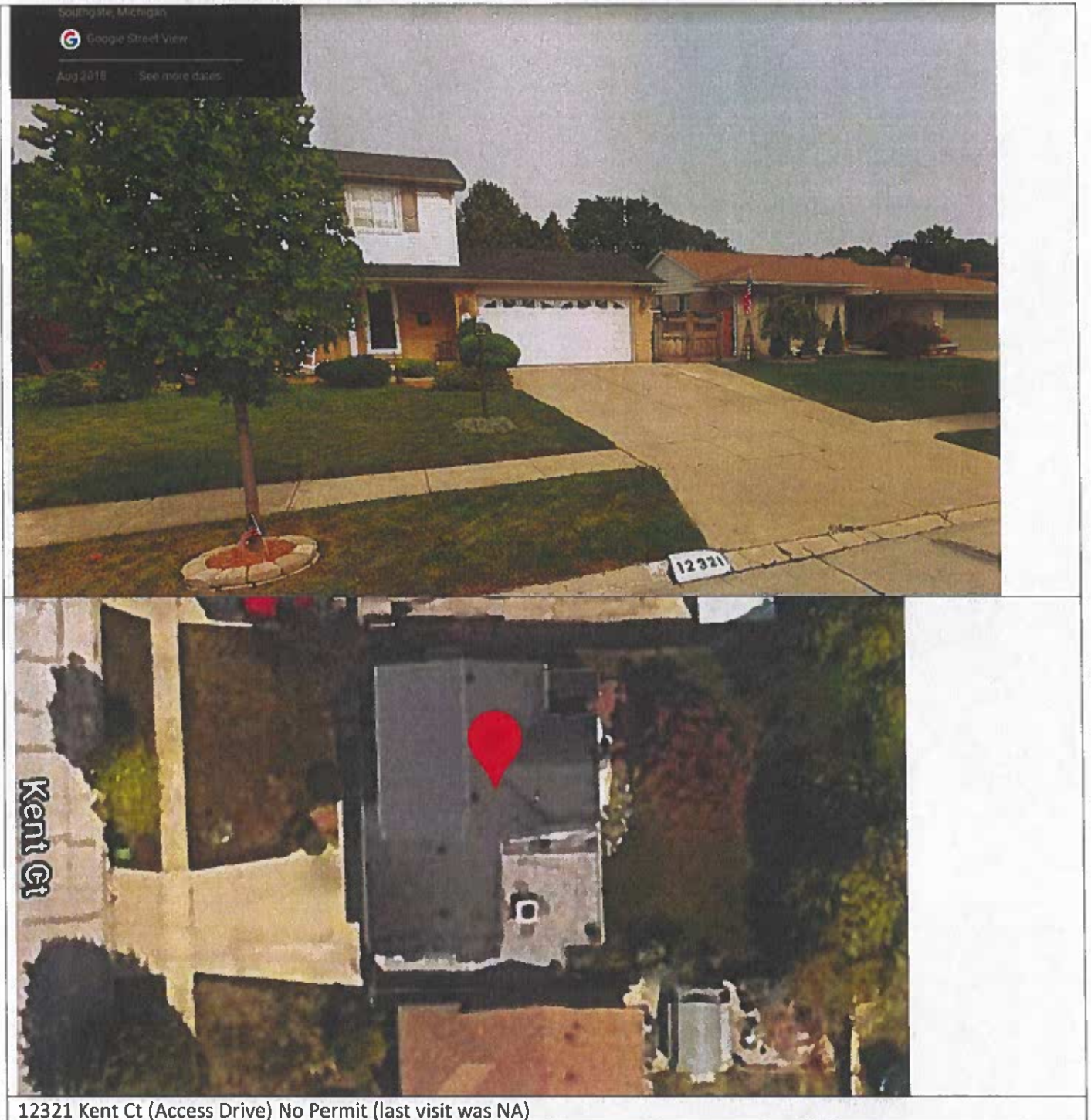


Exhibit 4: Additional Access Drives



11919 Poplar St (Access Drive) (Gravel) No Permit (last visit was 2021)

Exhibit 4: Additional Access Drives

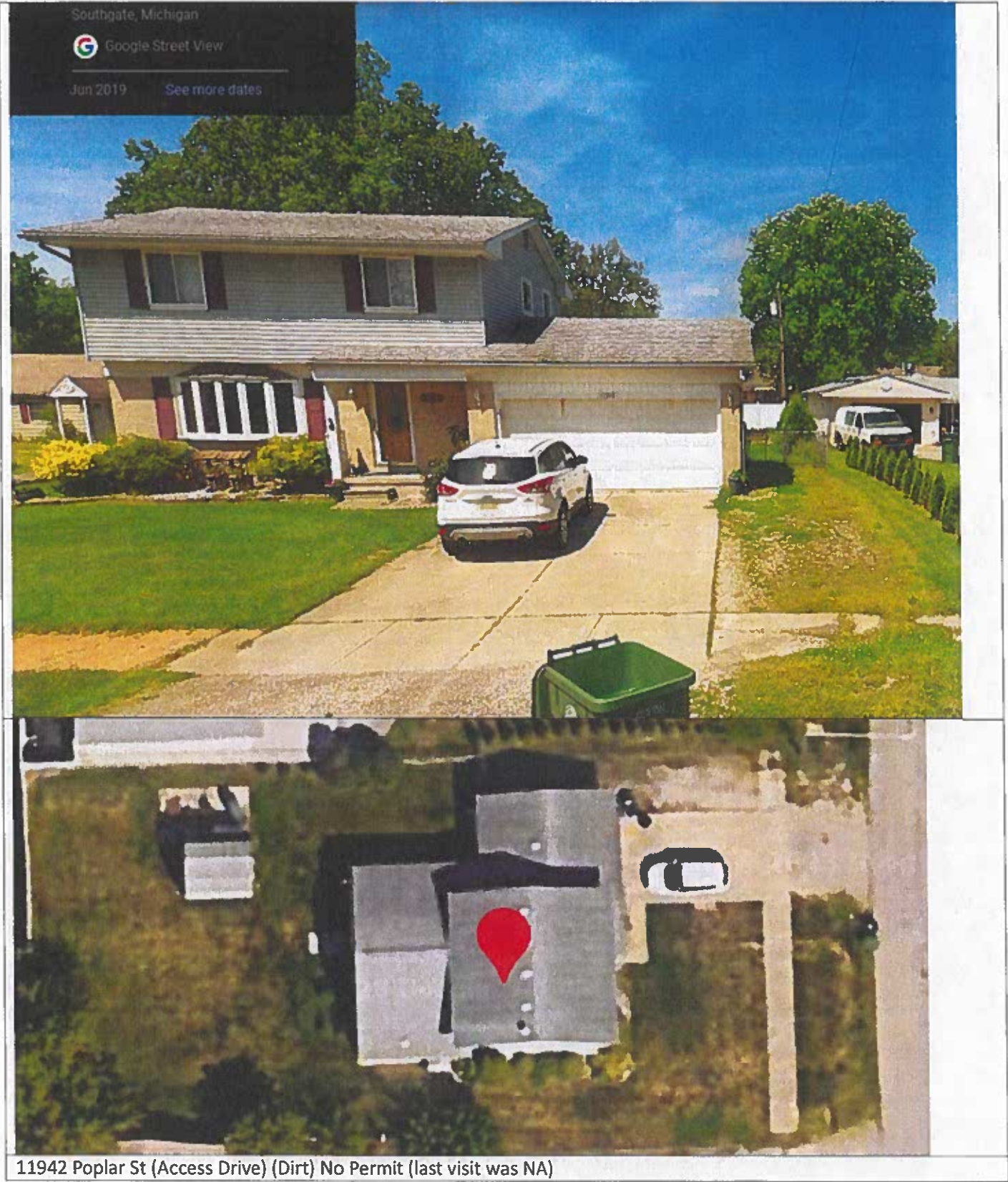


Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives



11185 Morningview (Access Drive) Permit PB19-0468 (R & R DRIVEWAY 36 X 4.5 AS PER APPROVED PLAN.)

Exhibit 4: Additional Access Drives



13729 Humphrey St (Access Drive) No Permit (last view NA)

Exhibit 4: Additional Access Drives



JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

GREG KOWALSKY

ED GAWLIK JR.

City of Southgate

BZA Members,

Feb. 27, 2024

Regarding the BZA appeal to the denial of Mr. Good's "Access Drive."

The following is my response as the Building Director of the City of Southgate. One of the responsibilities as Director is the interpretation of the City Zoning Ordinances as they pertain to the Building Department and fulfilling its duties of the permit approval process. Such interpretation was applied to Ordinances 1294.01 "Interpretation of Chapter", 1294.02 "Essential Services", and 1294.08 "Access Through Yards". It is my interpretation that 1294.08 was referring to gaining access to utilities and their necessary utility structures, not for "homeowner use".

Furthermore, under Ordinance 1260.05 "Conflict of Laws" which states that "Whenever a provision of any other law or ordinance imposes a more stringent requirement than is imposed or required by this Zoning Code, then provision of such other law or ordinance shall govern", The Ordinance that Mr. Good is using is a 1989 Ordinance and the Ordinance requiring 1 Driveway per residence is from 2018. The Ordinance from 2018 would therefore apply.

Lastly, and most importantly, allowing Mr. Good his variance would put an undue hardship on the neighboring Lot 49. Mr. Good's lot has an engineered survey, from the beginning of his new home, showing a designed drainage easement with a 7' drainage swale that if covered would effectively add a greater storm water burden onto the adjacent Lot 49. This was noted in the statement from the builder, stating that he would have to redesign the Lot 49 and the engineered drainage requirements to accommodate the change in the swale and easement.

Please note the following regarding the examples that Mr. Good provided. Of the 46 residences cited 34 were illegally installed with no permit meaning they do not apply in this approval process. 9 of the remaining 12 were "existing non-conforming" and were approved per "replacing an existing driveway", which would be allowed. 1 was approved based on "only as wide as the garage." Only the part of the driveway that was legal was approved and no final was called for. 2 went for variances and were approved based on their "specific hardship." NONE were for new home construction with engineered surveys and NONE were allowed over a drainage easement.

Finally, the Building Department adheres to the Zoning Code to the best of our abilities without regard to favoritism.

Sincerely,

Timothy Leach
Building Director
City of Southgate.



July 28, 2023

Mr. Timothy Leach
Buildings Inspection Director
City of Southgate
14400 Dix-Toledo Road
Southgate, MI 48195

**Re: Lot 50, 12930 Churchill Ave.
Second Final Grade Certificate Review, City of Southgate
Hennessey Project 12110.50**

Dear Mr. Leach:

Enclosed is one (1) copy of the above referenced revised Final Grade Certificate plan, which is **APPROVED AS NOTED** based on our second review. The following comment shall be addressed when the adjacent Lot 49 is developed.

- The final measured grades for the additional constructed width of the drive approach and driveway, and possibly the additional width, shall be adjusted accordingly by the owner of Lot 50, 12930 Churchill, so as not to deviate greatly from the approved master grading plan and the eventual proposed grading of a swale along the property line between Lot 49 and Lot 50.

Approved as Noted of the final grade certificate plan does not constitute a waiver of City ordinances or requirements. Any inconsistency or deviation with the City's ordinances or requirements shall be corrected by the owner/builder when they become known.

Should you have any questions, please do not hesitate to call me.

Very Truly Yours,

HENNESSEY ENGINEERS, INC

A handwritten signature in black ink, reading 'John M. Miller'.

John M. Miller
Project / Construction Manager

Engineering
for Results

LOT 50 "WOODLAND RIDGE SUB."

PART OF THE S.E. 1/4 OF
FRACTIONAL SECTION 23,
T. 3 S., R. 10 E., CITY OF
SOUTHGATE, WAYNE COUNTY,
MICHIGAN AS RECORDED IN
LIBER 122, PAGES 88-91 W.C.R.

CHURCHILL
AVE.

60' WIDE
CONCRETE PAVEMENT

PRO. 25'
STREET TREE

EX. 36"
STM. SEWER

PRO. 5' CONC WALK

EX. 10" SAN.
SEWER

PRO. 6" E-COPPER
WATER SERVICE

PRO. 6" (SOR 23.3)
@ 1.0% (SBL)
SAL. LEAD
8" INV. 590.15
(PER PLAN)

UNEX. GARAGE

PORCH

CHURCHILL AVE.
W/8' BASEMENT
F.C. = (509.6)

NOTE: SUMP PUMP SHALL
DISCHARGE TO THE
REAR YARD

15' ESMT. FOR PUBLIC
UTIL. AND SURF. DRN.

LOT 49
(VACANT)

LOT 50

WOODLAND
PARK
PVT.

SHAWH
R.
ENGINEER
No.
8201047307
PROFESSIONAL
Stamp 7/24/2023

Approved as Noted
Not Approved

DATE 7/24/2023

Scale: 1" = 20'

Scale: 1" = 20'

Scale: 1" = 20'

Scale: 1" = 20'

Scale: 1" = 20'

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NOTES

- DO NOT CONNECT SUMP PUMP DISCHARGE LINE TO THE STORM SEWER SYSTEM BECAUSE THE STORM SEWERS DISCHARGE TO A COMBINED SEWER SYSTEM.
- DO NOT EXCAVATE WITHIN 8' OF BACK OF CURB. UNDERDRAINS HAVE BEEN INSTALLED UNDER EACH CURB. THEY ARE APPROXIMATELY 48 INCHES DEEP AND HAVE BEEN BACKFILLED WITH 2WS SAND.
- GAS SERVICE ROUTE & TAP LOCATION SHALL BE WHOLLY WITHIN THE LOT FRONTAGE. CONTACT CITY ENGINEER AT (734)759-1800 THREE (3) BUSINESS DAYS PRIOR TO CONSTRUCTION TO DETERMINE IF INSPECTION IS REQUIRED.
- THE BUILDER/CONTRACTOR IS RESPONSIBLE FOR REAR YARD INLET FABRIC FILTERS DURING CONSTRUCTION. REPLACE AS NECESSARY.

ZEIMET WOZNAK & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
55800 GRAND RIVER AVE., SUITE 100
NEW HUDSON, MICHIGAN 48163
(248)437-8000 (248)437-5222 (FAX)

BENCHMARK ARROW ON
HYDRANT N.E. COR CHURCHILL
& WOODLAND RIDGE
ELEV. = 800.73

LEGEND

EXISTING TOPOGRAPHY
ELEVATION
X 600.3 PROPOSED ELEVATION
FM DENOTES FIELD MEASURED

REVISIONS	DATE	BY
GRADE CERT.	7-1-22	PTB
GRADE CLAY	7-1-22	PTB

ZEIMET WOZNAK
A ASSOCIATES
PLOT PLAN LOT 50
WOODLAND RIDGE SUBDIVISION
SOUTHGATE, MICHIGAN

DATE	10-9-20
DESIGNED BY	SPB
DRAWN BY	PTO
SCALE	AS SHOWN
PROJECT NO.	82113
SHEET NO.	1

Enclosure

**cc: Dan Marsh, City Administrator, City of Southgate
Michelle Gendron, Building Department Clerk, City of Southgate
Kevin Anderson, Director of Public Services, City of Southgate
Lori Kennedy, HR/Accounting Group, Hennessey Engineers, Inc.
John J. Hennessey, P.E., Vice President, Hennessey Engineers, Inc.
Shawn Blaszczyk, P.E., Zeimet Wozniak & Associates
File B.3**

Gerish-Curtis Development, LLC

P.O. Box 481
Trenton, MI 48183
Phone: 734-479-0552 Fax: 734-479-0553

December 19th, 2023

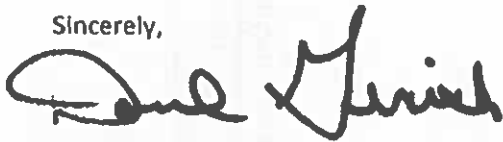
Re: 12930 Churchill Avenue (Lot #50)
Southgate, MI 48195

Hi Tim,

We try to keep driveways three (3) or more feet from the property line to allow for a swale to control surface water drainage between properties.

The brick paver driveway is installed to the property line which removed the designed swale. This is forcing water onto Lot #49 and not along the swale as designed.

Sincerely,

A handwritten signature in black ink, appearing to read "David Gerish", written over a horizontal line.

David Gerish
Member
Gerish-Curtis Development, LLC

BZA PR-24-001 - Application 2/5/2024



Case No. BZA 24-001
Date Received 2-5-2024

**CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS**

Applicants are required to verify or modify certain regulations established in the Zoning Ordinance, commonly referred to as the Zoning Code for the City of Southgate.

RECEIVED BY THE CITY CLERK

Applicant Information		Agent Information	
Name: <u>Raymond / Sarah Good</u>		Name: _____	
Address: <u>12930 Churchill</u>		Address: _____	
City: <u>Southgate, MI</u>		City: _____	
Zip: <u>48195</u>		Zip: _____	
Phone: <u>313-402-8835</u>		Telephone: _____	

Property regarding the site:

Lot Address: 12930 Churchill

Lot Owner: McCann - Northline

Lot No.: 53 005 02 0050 000

Size: 0.189 Dimensions of Parcel: 55.00ft x 130.44ft Zoning: SS.00

Front Zoning Ordinance: R-1 R-1A R-1B RM RD C-1 C-2 C-3 M-1 MH PD P-1

Use: Residential

Proposed address:

Proposed address: _____
(For example - Front yard setback from 20 feet to 30 feet.)

Interpretation of the Zoning Ordinance or Map:

Appeal from the Planning Commission or Zoning Administrator:

Other:

Phone Number: _____

rgood308@gmail.com

Summary of Comments on REV TL 2.13.24 12930 Churchill
BZA Application 3-11-24 BZA Meeting 2.pdf
This page contains no comments

APPROVAL STATUS: **APPROVED**
APPROVAL DATE: **2/14/2024**
APPROVAL BY: **City Planner**

Case No. **BZA**
Date Received: **2/5/2024**

of the building. During or after the meeting, the applicant may be required to provide information to the City Planner regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway.

updated with the City Planner regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway.

plan language of SAO 1234.08 [Fig. 14] requires the access drive to clear, unobstructed, and provide our requested road SAO 1234.08 states that "access points may be placed in the required front or rear yard so as to provide access to any or attached structures" and that these drives shall not be considered as "access points" in the front yard. SAO 1234.08. Therefore, the City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway.

should not be considered a "driveway" for the purposes of the SAO 1234.08. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway.

interior by the City's Court Building acknowledges the significance of the language of SAO 1234.08. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway. The City Planner will be available to provide information regarding the proposed driveway.

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Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 1:16:30 PM**
It is this Building Official's determination that this Code was referring to utility access in the rear yard.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 1:11:15 PM**
11359 Building permits was to "reduce driveway and approach". The existing driveway and approach would be approved. The widening of the driveway would not. The existing driveway and approach were allowed but the widening was not approved. No final was called for.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 2:37:24 PM**
Mr. Good's "initial request" was not for an access drive. His initial request was for a widened driveway due to a "lack of parking space". This was denied under the BZA. The BZA specifically stated in the meeting if the widened driveway was going to be used to access the rear yard and Mr. Good replied No.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 2:01:18 PM**
The same standard applies - 1 driveway per residential lot. Mr. Good's interpretation is it rounded and has nothing to do with "undiversified" to the property.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 2:06:24 PM**
The Building Authorities interpretation is "Access Drives" are for utility purposes only. Only 1 driveway per lot per ordinance 1352.03.06A from 2011.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 2:12:36 PM**
Mr. Good was allowed the drive project. He asked the City Planner if he was allowed to remove the driveway. He was told that would not be allowed. He widened his driveway without a permit. A letter was sent to Mr. Good asking to remove the driveway extension or submit a permit application. Mr. Good submitted an application. The application was denied. Mr. Good submitted an application for a variance to the BZA which was denied. Mr. Good then requested the legal driveway as an "access driveway" and submitted for a BZA interpretation which was again denied and finally Mr. Good went to the Circuit Court for an appeal. All in the project.

Author: **City Planner** Subject: **Study Note** Date: **2/14/2024 2:15:20 PM**
The City Planner explained that that for the commercial contractors to access the utilities often placed in the rear yard the need an access drive to gain access to their equipment.

ing part is the variation in treatment, considering the history of approved Access Drivers for similar properties. I seek a fair rationale behind the unequal treatment and request a reconsideration of my application in light of the 1 by the city.

ing part is the variation in treatment, considering the history of approved Access Drivers for similar properties. I seek a fair rationale behind the unequal treatment and request a reconsideration of my application in light of the 1 by the city.

104 examples of properties allowed by the city, additional properties found in Exhibit (4).

ent Co. The house is on a cul-de-sac and the Access Drive was approved by Sanjour's RD - Permit P154-0372. Each lot (22000000 Drive & Access Drive) Permit P153-0283 (Concrete driveway as per approved plans) and 32. (Access Drive) Permit P153-0004 (Inland driveway, concrete pad w/ ramp). Concrete pad behind driveway. As per plans.)

~~ident Q3. The letter is on a card-fee post approval mail on Access Drive,
seeable. (Access Drive) Permit P20-039 [date driveway wider, as per approved plan].
Drive S. The Access Drive was Approved by Southgate ID - Permit P20-039
Southgate. The Access Drive was Approved by Southgate ID - Permit P20-046.
bushes S. The Access Drive was Approved by Southgate ID Permit P20-037
bushes S. They have an enclosed [redacted] including the statement. They were denied a permit by the
for BGA Approval. The City Permit [redacted] The ID worded and approved.~~

problem is self-inflicted.

It would like to draw attention to Exhibit 4, which illustrates over 40 instances of profanity within the city of approved Access Orders. It is pertinent that my application appears to be reviewed differently considering these

the City's court briefing (Fig. 8) alleges that I did not adhere to the program process in seeking a permit. Contrary to the allegedly pursued the requisite approval through the Building Department. A comprehensive overview of "My Permit" cited below:

Each 2022 site plan was submitted (Fig. 2b) to the Planning Department outlining options for a parking lot, access to the yard from the street to the gate.

on 1st 2022, I had a meeting with the **Internal** **Director** to review and discuss the **plans** for an **annual** **conference** of the **meeting**. I was **under** the **impression**, based on the **discussion**, that **recognition** of **black** **power**—**and** **that**—**was** **permissible** **without** a **special**.

On City Hall, the representatives before the installation of the brick pavers and an additional 1000 opportunity before 3 of Zoning Appeals (BZA) meeting to recognize the efforts of my respect for Access City. The business made an exchange with the Building Department, the request was immediately forwarded.

PROQUEST

on building for Academic Development. [1] corresponding to any attempts to seek approval through a site plan proposal and secure a building [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25] [26] [27] [28] [29] [30] [31] [32] [33] [34] [35] [36] [37] [38] [39] [40] [41] [42] [43] [44] [45] [46] [47] [48] [49] [50] [51] [52] [53] [54] [55] [56] [57] [58] [59] [60] [61] [62] [63] [64] [65] [66] [67] [68] [69] [70] [71] [72] [73] [74] [75] [76] [77] [78] [79] [80] [81] [82] [83] [84] [85] [86] [87] [88] [89] [90] [91] [92] [93] [94] [95] [96] [97] [98] [99] [100] [101] [102] [103] [104] [105] [106] [107] [108] [109] [110] [111] [112] [113] [114] [115] [116] [117] [118] [119] [120] [121] [122] [123] [124] [125] [126] [127] [128] [129] [130] [131] [132] [133] [134] [135] [136] [137] [138] [139] [140] [141] [142] [143] [144] [145] [146] [147] [148] [149] [150] [151] [152] [153] [154] [155] [156] [157] [158] [159] [160] [161] [162] [163] [164] [165] [166] [167] [168] [169] [170] [171] [172] [173] [174] [175] [176] [177] [178] [179] [180] [181] [182] [183] [184] [185] [186] [187] [188] [189] [190] [191] [192] [193] [194] [195] [196] [197] [198] [199] [200] [201] [202] [203] [204] [205] [206] [207] [208] [209] [210] [211] [212] [213] [214] [215] [216] [217] [218] [219] [220] [221] [222] [223] [224] [225] [226] [227] [228] [229] [230] [231] [232] [233] [234] [235] [236] [237] [238] [239] [240] [241] [242] [243] [244] [245] [246] [247] [248] [249] [250] [251] [252] [253] [254] [255] [256] [257] [258] [259] [260] [261] [262] [263] [264] [265] [266] [267] [268] [269] [270] [271] [272] [273] [274] [275] [276] [277] [278] [279] [280] [281] [282] [283] [284] [285] [286] [287] [288] [289] [290] [291] [292] [293] [294] [295] [296] [297] [298] [299] [300] [301] [302] [303] [304] [305] [306] [307] [308] [309] [310] [311] [312] [313] [314] [315] [316] [317] [318] [319] [320] [321] [322] [323] [324] [325] [326] [327] [328] [329] [330] [331] [332] [333] [334] 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[501] [502] [503] [504] [505] [506] [507] [508] [509] [510] [511] [512] [513] [514] [515] [516] [517] [518] [519] [520] [521] [522] [523] [524] [525] [526] [527] [528] [529] [530] [531] [532] [533] [534] [535] [536] [537] [538] [539] [540] [541] [542] [543] [544] [545] [546] [547] [548] [549] [550] [551] [552] [553] [554] [555] [556] [557] [558] [559] [560] [561] [562] [563] [564] [565] [566] [567] [568] [569] [570] [571] [572] [573] [574] [575] [576] [577] [578] [579] [580] [581] [582] [583] [584] [585] [586] [587] [588] [589] [590] [591] [592] [593] [594] [595] [596] [597] [598] [599] [600] [601] [602] [603] [604] [605] [606] [607] [608] [609] [610] [611] [612] [613] [614] [615] [616] [617] [618] [619] [620] [621] [622] [623] [624] [625] [626] [627] [628] [629] [630] [631] [632] [633] [634] [635] [636] [637] [638] [639] [640] [641] [642] [643] [644] [645] [646] [647] [648] [649] [650] [651] [652] [653] [654] [655] [656] [657] [658] [659] [660] [661] [662] [663] [664] [665] [666] 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[833] [834] [835] [836]

Author Search	Subject: Safety Note	Date: 21/4/2024 9:43:33 AM
The problem is totally self-inflicted because Mr Good proceeded without a permit (ants he can circumvent the process)		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:04:58 PM
Please note, none of Drive legal or illegal driveway that were mentioned were noted in an access driveway		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:21:17 PM
In this back-to-back meeting, specifically stated that widening the driveway was NOT allowed, which Mr Good admitted to in the UKA meeting.		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:31:22 PM
Mr Good installed the driveway largely without a permit.		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:35:04 PM
The fact has already been established that an access drive was for safety purposes only...only 1 driveway permitted per lot		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:41:19 PM
This has already been established as an access drive was for safety purposes only...only 1 driveway permitted per lot		
Author Search	Subject: Safety Note	Date: 21/4/2024 11:51:51 PM
The building Department's steps in the permitting process were taken under normal permitting procedures.		

Director contacted the Building Department and presented the plans for a Concrete Access Drive in their request for a

[illegible]

~~In June 2022, and the second time I was given GPs indicated my life plan. Mr Leach then asked me to forward the~~

(L287) (Langston) No, I didn't remember anything about it. I remember that someone at the party told me that Mr. Leach offered me some money to work as the garage boy. I.L. This is an example of the city's inconsistency on what is approved by the Planning Board. This would have been the perfect opportunity for Mr. Leach to say, "Thank the BSA meeting you were smart if you are seeking additional answers need to the garage, if you add your name next to the garage, we can call him on Access he'd be approved for a permit."

variance is the minimum necessary to permit reasonable use of the property, and the proposed variance would allow reasonable use of the property by allowing access to my accessory in the rear

otherwise, if granted, would not compromise the public health, safety, or welfare? **2** would not compromise public health, safety, and welfare.

Mr Good continues to make false statements, he never brought up the "Access Drive" term until he was denied a driveway widening inspection. A few hrs. earlier he'd changed the name of the driveway widening to an "Access Drive" even after explicitly stating in a BSA

Author: [death](#) **Subject:** Society News **Date:** 2/7/2024 3:39 PM
Message Note: This is Criminal. In the Goods Accessory Pool of Record Fig 2a and 2b Mr Good request for "additional parking". Not an Access Drive. We continue to call it as this 2024 Appeal an Access Drive because it has his agenda.

Author Name	Subject	Safety Note	Date
			2/14/2024 3:48:22 PM

This is a total fabrication on Mr Gooden part, I have never approved an Access Drive since I have been with the City of Southgate

Author: Heath Subject: Sixty Nine Date: 2/15/2008 @ 37:45 AM
This variance would affect the storm water drainage by covering the engineered swale on Lot 49's side

ACCESS THROUGH YARDS.

access drives may be placed in the required front or side purpose of the Zoning Code. access drives shall not be a to provide access to accessory or attached structures. These drives shall not be id as structural violations in front and side yards. Further, no walk, terrace or other I servicing a fire function, and not in excess of nine inches above the grade upon which it shall, for the purpose of this Zoning Code, be considered to be a structure, and the same permitted in any required yard.

Fig. 1b

PROJ. OR)	SCD
Building	SPWALD
03/27/2021	03/27/2024
04/14/2021	04/01/2023

RECALL 2 TO SPWALD AS PER AMENDED PLAN

Accessory Proof of Record

Fig. 1b

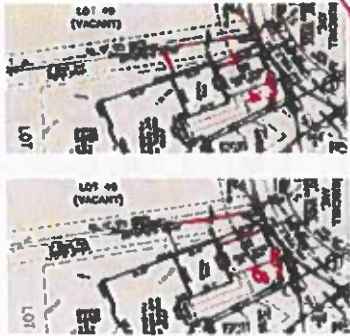
1000 Church Lane50 Parking Questions D. rev.

• One of the following conditions must be met for the proposed structure to be considered an accessory structure for the purposes of the Zoning Code. The structure must be used for the same purpose as the principal structure on the same lot or on an adjacent lot. The structure must be located on the same lot or on an adjacent lot. The structure must be located on the same lot or on an adjacent lot.

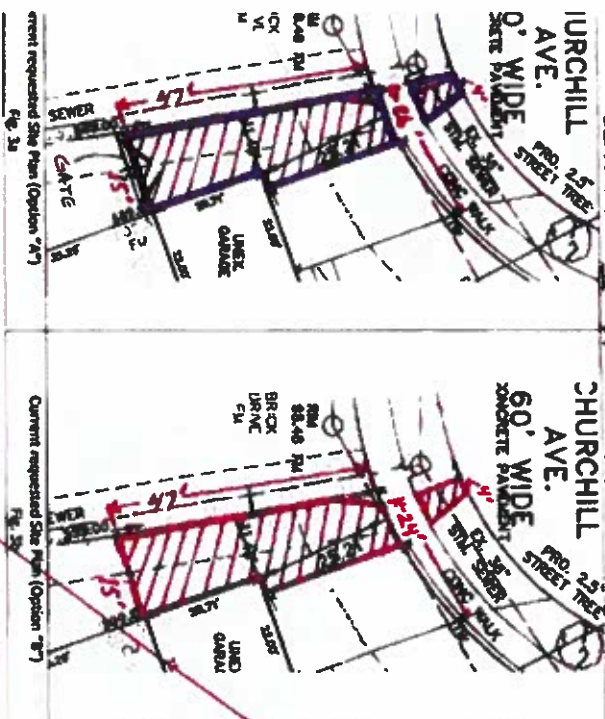
Submitted by: [Redacted]



Final sent to Building Department (March 2023)
Fig. 1b



Initial Site Plan (March 2023)
Fig. 1b



OWNER HOLD REPORT

PERMANENT ACCESS DRIVE OVER 17' ROAD LOCATION (APPROXIMATE) AND WALKWAY, BUCK
RIVERS AS NOT APPROVED
(City of Southgate Building Permit Application) (12530 Churchill) (March 2023)

Fig. 4

I am email to Tim asking for a meeting to discuss 12530.08.

John Email:

or a meeting. This isn't a point you're going to change my view on."

Good clipped email and enlarged the first.

Email from Building Department Director (March 2023)

Fig. 5



Fig. 7: C. The house is on a cul-de-sac that allows some non-permitted green parking in front of the house. Note: additional parking alongside the garage with an Access Drive (the street to the gate). (The Access Drive used by Soudage Building Department - Permit #216-0372)

This is an example that the city will approve an Access Drive on a Curve
12301 West C. Approved Building Permit for an Access Drive
Fig. 7

In this case, the record is devoid of any evidence of access. It appears that the Applicants is constructing the argument based upon external matters and allegations and has not established a similarly situated property. The Applicants provided one example for the record of a property with an access drive, 13739 Flinders St, but it is distinguishable because the Applicants concede that the house has an "approved permit from the city" (Appellate 7 Exhibit 5, page 3). This establishes that the residence on Flinders St went through the permit process with the city, whereas the Applicants did not.

Further, there is a process in place if a residential homeowner wants to expand upon their property in a way that conflicts with the Zoning Ordinance. The appropriate course of action is to seek approval through a site plan proposal and to receive a permit from the Building Department.

City's Court Briefing
Fig. 8

Editor: Admin
Subject: Soudage Building Department
Date: 2/15/2024 8:57:58 AM
Editor: Admin has added the own narrative. The verbiage is not on the permit application. The application is for "removal/replace" content. There is no mention of an "Access Drive" on the permit application.

B. Roberto & Adela Lopez - 1720 Plunders are requesting a dimensional variance for a driveway expansion of (5) feet in the R-1B, Single Family Residential District.

No public comments were received.

Medians by Martin, improved by Feister, to open into Public Meeting.

Plus Carondelet. Selling around the equivalent of a dimensional residence for a driveway situation (see Fig. 15) just in the R-1B Single-Family Residential District. The subject site is located at 11120 Fenton, between the R-1B Single-Family Residential District and adjacent Street. The closest driveway is just the width of the garage ramp, per Section 1792A.00(15). Application shows there is a double on each side of the existing driveway and it was not used for backing out. In addition, applicant owns a utility trailer and wants to use another 1/2 yard to make the drive turn that is required for exiting driveway.

The applicant stated they just need the extra 15' fire foot to meet with the City's planned subdivision, that due to the unusual and short configuration of driveways in many of the City's planned subdivisions, that could be considered a practical difficulty and not unreasonable insofar of the requested variance.

Moved by Folger, supported by Martin, to close this Public Meeting. Motion carried unanimously.

Discussion was held by the Board

Manned by Iberia, as reported by Richardson, (last the Board of Zoning Appeals, **ENF0001** and **AF0002**, the application as the request of Alberto & Adria Lopez, 11705 Pasadena, Seattle, WA 98148, for a dimensional variance for a driveway extension of (5') feet on the 1st-12, Stage Park 1, Residential District, Motion Carried Unanimously.

Fig. 9

[illegible]

ИЗДАТЕЛЬСТВО

[illegible]

Fig. 10

Red Arrow Building - red line report

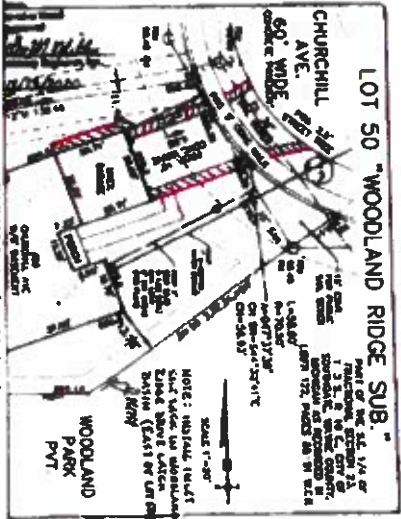


Fig. 11
11/21/2023 Option from Mr. Leach



Fig. 12
BZA PR-23-007 Revision Dated 12/21/2022

reducing in the Building Department's approval process has sufficient time to considerable hardship, both fully and emotionally. The 23-month-long ordeal has resulted in stress, extensive research, numerous calls with city officials, additional costs related to the BZA application, and legal fees. This inconsistency is not an additional \$18,000 to \$20,000, funds that could have been spared with a more transparent and consistent process.

Hardship
Fig. 13

Subject: Subject: Stacy Moore **Date:** 2/13/2024 9:03:03 AM
Subject: Subject: Stacy Moore **Date:** 2/13/2024 9:03:03 AM
 This meets the requirements of 123.03.030 for driveway. Mr. Good rejected this proposal.
 Subject: Subject: Stacy Moore **Date:** 2/13/2024 9:03:03 AM
 Mr. Good's hardship is self-inflicted. He chooses to do work without permits first, as the City requires and does them at his own risk and then tries to justify it. Note, Mr. Good also installed a deck in the rear without first getting a permit and had to change his deck layout due to the fact it did not meet code. All this was done after he had been stopped for doing the driveway without a permit.

BZA PR-24-00_ – Application 2/5/2024

This page contains no comments

RAYMOND GOOD, et al,
Appellants,

Case No. 23-008490-AV
Hon. Charlene M. Elder

CITY OF SOUTHCATE
OF ZONING APPEALS,
Appellee,

ED ZELBNAK (727611)
Attorney for Appellee
2933 Port Street
Lincoln Park, MI 48146
313-386-6400
L-11990

ORDER FOLLOWING HEARING

At a session of said court held in the
County of Wayne, State of Michigan,

ON 2/5/2024

BEFORE THE HONORABLE JUDGE CHARLENE M. ELDER
Circuit Court Judge

his matter having come before the Court on Appellant's Appeal; and,
the Court having considered the Briefs filed by the Appellant and Appellee and
being otherwise aware of the matter now brought before the Court, and the
Judge deciding sua sponte;

IT IS HEREBY ORDERED that the case shall be
sent back to the Appellee, City of Southgate Board of Zoning Appeals, for a de novo

IT IS ALSO HEREBY ORDERED that the Appellee, City of Southgate Board of

BZA PR-24-00__ - Application 2/5/2024

This page contains no comments

Appeals, shall provide a court reporter to be present at and provide a transcript of
said hearing.

IT IS ALSO HEREBY ORDERED that the Appellants shall refile their
petition for approval to the City of Southgate Board of Zoning Appeals, without filing
it, within 60 days of the entry of this Order.

IT IS ALSO HEREBY ORDERED that the Appellants' right to appeal the
order of the Appeals at the de novo hearing to the Wayne County Circuit Court is
denied.

/s/ Cheryl S. [Signature]
Circuit Court of Michigan
January 5, 2024

1/2/23

1/2/23

1/2/23
1/2/23
1/2/23

1/2/23
1/2/23
1/2/23

Exhibit 1 BZA Appeal PR22-007 date 10/14/2022

202
City of Southgate
12930 Church Hill
Southgate, MI 48195

Case No. 827
Date Received

CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS

reg an appeal to vary or modify certain regulations established in TITLE SIX, currently referred to as
the Zoning Code for the City of Southgate.

REGISTERED BY THE APPLICANT:

Consultant	Name	Address	City	State	Zip	Telephone
Raymond / Sarah Good						
12930 Church Hill						
Southgate, MI 48195						
(City)						
313-402-8635						

on regarding the site:

Street 12930 Church Hill

as Street McCann - Northline

53 005 02 0050 000

0.189 Dimensions of Parcel 55,00ft x 130.46ft: average 55,00 ft

existing (please check): RE R-1 R-1A R-1B RM RO C-1 C-2 C-3 M-1 MH PD Z-1

Residential

of subject:

Regulated Violation: (For example - Front yard setback from 25 feet to 30 feet.)

relation of the Zoning Ordinance or Map

from the Planning Commission or Zoning Administrator

1. Specify

Exhibit 1 (Page 1)

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Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

10/14/2022 BZA 2022-007 2-1-2022 2-1-2022 2-1-2022

Case No. BZA _____
Date Received _____

APPLICATION FOR BOARD OF ZONING APPEALS
PRELIMINARY VARIANCE

of Burlington Board of Zoning Appeals is required by state law to support its decisions with evidence and affidavits. In order to prove your property is entitled to a variance, please provide answers to the questions:

1. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?
2. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?
3. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

4. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

5. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

6. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

7. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

8. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

9. How does the proposed use of the property differ from the permitted uses in the zoning ordinance?

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

d from Page 2)
 er the next several months I was in contact with Tim Lasech discussing permit and building
 it was having with the builder (Carmoh) (call's Fig. 1 & back-to-back). During one of our
 s in early June (back-to-back) I brought up the meeting I had with Craig Brown and so I asked
 adding concrete adjacent to the driveway, I presented the same layout proposal (Fig. 3) and
 hear about the location of concrete. Tim said, "No, you can only add to the width of the
 So, knowing that I could install pavers for my conversation with landscaper I asked Tim
 he question about the spot next to my driveway. I asked Tim, could I park in that area if it was
 and "no". Then I asked Tim what if I put gravel down, could I park there and he said "no". So I
 what could I park on, he said "pavers". After we spoke, my understanding was that I could
 s in the proposed parking area (Fig. 3). So, I scheduled an install with a contractor to install
 i. The pavers were installed on 9/12/22. On 10/10/2022 I received a call from my fence
 and he told me when he went to put the permit and it was denied. He said the COS explained
 it the owner of the property needs to address an issue with the driveway before they can issue
 or the fence. This was followed by a letter from the COS Building Department the very next
 led to another conversation with Tim Lasech, but this time it was about the pavers we had
 and said that we could apply for a variance leading us to this request.

Comments

my is located on a concave curve that is not allowing for safe parking in front of the house.
 rn is with the lack of streetlights, the sub is currently under construction and the street
 is a long straight away without stop signs that allows vehicles to speed. The fear is that
 will be speeding at night and without streetlights the my parked vehicle. (Fig. 3) I've already
 one drive up on my easement about 2 feet, leaving deep tire marks on my lawn. Also, with all
 action vehicles coming and going with trailers making that turn increases the chances of
 o my vehicle. (Fig. 6)

e review of the city ordinances, I noticed that there were some accommodations for Cal-de-sec
 r tests that allowed for additional parking and extended driveways. (1252.0316) (5A8) My
 shares similar features and hope that this allows some accommodations for mine.

to do everything right with calling the city, meeting to review plans with the city but some
 sanitation / misunderstanding has led the COS Building Department to issue an ordinance
 I've done my best in trying to explain my side to the board and hopes that they will see my
 igh off on the current layout. Please review the picture of the finish product (Fig. 4), in fact we
 several compliments from the neighbors.

with by saying that I would've not proceeded with installing pavers if I didn't think I had a clear
 nding from the City of Southgate Building Department, referring to my early June conversation
 Lasech. I would not have risked \$13,000 if I was unsure.

Exhibit 1: B2A Appeal PR22-007 date 10/14/2022

[illegible]

Forwarded mailings —

Request: Ray used ray@bbs.bbsnet.com
 Date: Tue, May 15, 2012 at 4:13 PM
 Subject: Ray Used 12180 Quoted (Last) Posting Questions
 To: chris@bbs.bbsnet.com

I am requesting the City of Goodrich permission to add additional parking next to my current driveway and relocate the garage. The reason for my request is that my house is on a curve and there is no room to park an additional vehicle in front of my house (see attachment). Since this is a new development, we are not even sure what side of the street we can park on and there is a bus stop directly across the street from our house.

I hope that you allow this request because this is an investment into our future since this is our future's horizon.

For drawing up some additional parking proposals, please return Option A and B attachments.

157 cm

113-002 1635

Exhibit 1 / Page 5

Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

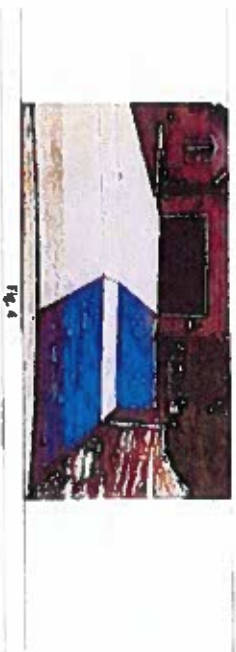
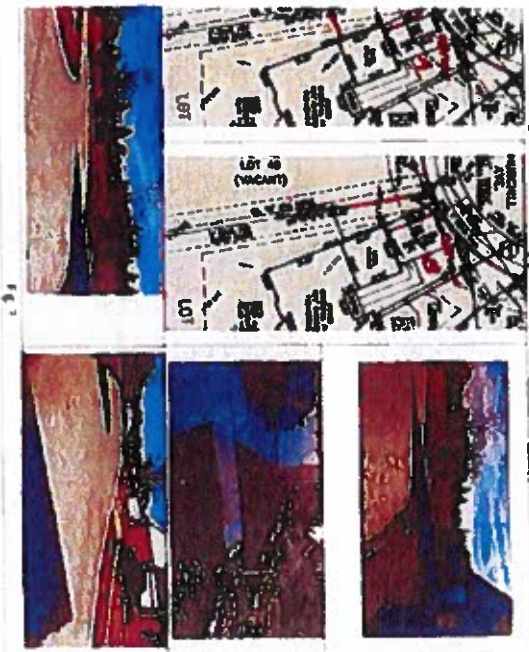


Exhibit 1 / Page 6

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Exhibit 1: BZA Appeal PR22-007 date 10/14/2022

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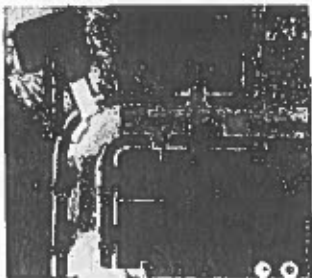


Exhibit 2: 82A Appeal PR22-007 Revision 12/21/2022

Reviewed per 12/12/22 BZA meeting. The board is showing additional findings and clarifications.

120	Appeal No. 82A
121	Case No. 82A
122	Date Received

CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS

Use on appeal to vary or modify certain regulations established in TITLE SIX, currently referred to as the Zoning Code for the City of Southgate.

DECLARED BY THE APPLICANT:

Consolidator	Agent
Raymond / Sarah Good	
12930 Churchill	
Southgate, MI. 48195	
313-402-8635	

on regarding the site:

12930 Churchill

McCann - Northline

53 005 02 0050 000

0.189 Dimensions of Parcel: 55.00ft x 130.45ft, 55.00 ft

zoning (please attach): RE R-1 R-1A R-1B RM RD C-1 C-2 C-3 M-1 MH PD P-1

Residential

Requester:

Requested Variance:

(For example: - Front yard setback from 25 feet to 20 feet.)

Violation of the Zoning Ordinance or Map

It from the Planning Commission or Zoning Administrator

Specify:

Exhibit 2 / Page 1

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

Zoning Appeals Application

Item regarding request
received at hearing before the board for:

any additional information. For example, why you are requesting the proposed action, a complete description of the project, and to coordinate with relevant local and state agencies. Any information you need to provide to your application, the Board will be able to provide to the applicant. It will also include your project or if you need more information to provide

a variance for a driveway extension and if granted it would allow the current owners to remain in place. We don't have an adjacent land user and the project will be within the property lines. The Building Department we are in violation of Ordinance 1290.03 (b)(5) and installing the pavers next to the driveway without pulling I had many conversations with the Southgate Building Department on extending the current driveway and to that there was a misunderstanding (for details review original BZA dated 10/17/22) and would've not I with installing pavers if I didn't have a clear understanding from the City of Southgate by doing it.

It is difficult to park in front of the house due to the configuration of the street (tight curve) this impedes traffic and causes traffic to drive on the neighbor's grass and when vehicle is parked in front of the house it is on my driveway slowing backing out very difficult. I own a recreational trailer and must go into the yard to make the sharp turn that is required for the existing driveway. (Fig. 1a, 1b)

CH CLEARLY DEPICTING THE REQUEST MUST BE ATTACHED TO THIS APPLICATION FOR IT ALD. IF REQUESTING A DIMENSIONAL VARIANCE, FORM 62A MUST BE ATTACHED. Fig. 1a & 1b

Item / Agent must appear before the Board of Zoning Appeals on _____ (Date)

HEAR / AGENT OF THE PROPERTY DESCRIBED ON THIS APPLICATION SUBMIT THAT ALL DATA HEREIN AND IN THE DOCUMENTS PROVIDED ARE TRUE.

Signature / Agent: _____ Date: _____

Your application property, Board of Zoning Appeals members may need access to the property in person. If permission is given for property access, INITIALS _____

at the point of the same time this application is submitted to the City.

DATE:

Received By: _____ (Date's Name)

per: _____

Receipt No.: _____

anyway it is not

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022

100 SOLAR BZA APPLICATION
11/17/22
11/17/22
11/17/22
11/17/22
11/17/22

Case No. BZA	Case No. BZA
Date Received	Date Received

APPLICATION FOR BOARD OF ZONING APPEALS
DIMENSIONAL VARIANCE

of Boarding Board of Zoning Appeals is required by state law to accept the decision with evidence of difficulty. In order to prove your property is entitled to a variance, please provide answers to the questions.

compliance with the Ordinance results in a practical difficulty?

front of my house, it is difficult to park due to the configuration of the street (tight curve) and the daily traffic created by the construction of new homes in my subdivision.

Understanding of Practical Difficulties: The layout of the landowner's, due to circumstances unique to the lot created by the owner, is dangerous, difficult, or otherwise unfortunate situation not created by you.)

12/31

existing vehicles. (Many vacant lots, leads to the lot parked vehicles on the street and this allows for vehicles to be parked on the street.)

Speed) (City car not and will not install street lighting until the completion of the subdivision.)

front of my house (tight curve) this impedes through traffic and causes traffic to drive on the neighbor's lot.

unique street parking (tight curve) when vehicle is parked in front of the house it encroaches on the driveway and backing out very difficult. Own a recreational trailer and must go into the neighbor's yard to make the

turn that is required for the existing driveway

see, unfortunate situation:

related Street parking. The house directly across from me does not allow for additional parking because it is a corner house, and no parking is allowed because of the fire hydrant.

removal / Relocating existing pavers. This will add additional costs.

control of who or what could park in front of my house causing difficulty backing out of his driveway

Control over when the subdivision will be completed.

unusual configuration of the property being on curve shortening the parking availability in front of the home.

unique compared to many of the City's patterned subdivisions and should be considered a practical difficulty.

ly property is on a unique street configuration (right curve) and when a vehicle is parked (on an angle) in front of it encroaches on my driveway limiting maneuverability in and out of my driveway. All the surrounding lot face this challenge because the street parking is parallel to their house. (Fig. 2a).

As to the unusual configuration of the property being on curve shortening the parking availability in front of it which is unique compared to many of the City's zoned subdivisions and should be considered unique to my

I tried to research other homes in Southeastern and it was hard to find another house that fits my exact issues, but my car-dealer, corner lots, and seven some homes went to retention ponds but none of them are on a curve! but I was able to find it that there are several properties that have extended driveways with the approval from the planning building Department and several of those homes are at within walking distance of my house. (Continue)

no problems in not self-indulging?

[illegible]

approved variance would allow reasonable use of the property and improve the aesthetics of our property surrounding the integrity of our neighborhood.

the violence. If granted, would not compromising the public health, safety and welfare? It would not compromise public health, safety, and welfare.

This page contains no comments

Exhibit 2: BZA Appeal PR23-007 Revision 12/21/2022



Fig. 1a

Fig. 1b



Fig. 2a

City street parking and accessibility is not used in calculating Off-Street Parking requirements for Residential and Non-Residential uses.

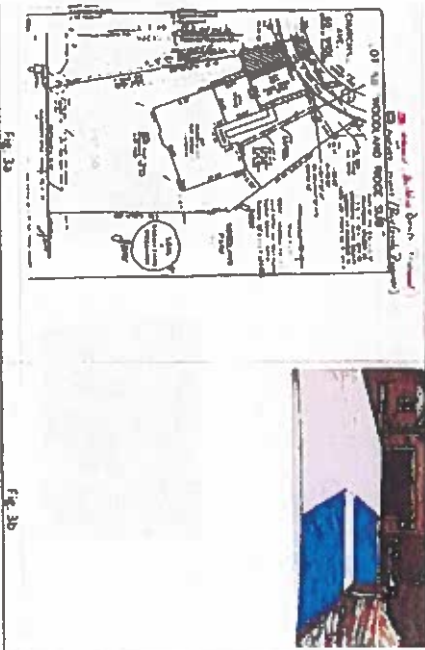


Fig. 3a

Fig. 3b

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022
results from Condition 2:




Permit number: 12301-007

Project name: 12301-007

Project address: 12301-007

Project description: 12301-007

Project status: 12301-007

Project date: 12301-007

Project location: 12301-007

Project owner: 12301-007

Project contact: 12301-007

Project phone: 12301-007

Project email: 12301-007

Project website: 12301-007

Project notes: 12301-007

Permit A. The house is on a cul-de-sac that allows some non-parallel street parking in front of the house. They have additional parking alongside the garage with an extended driveway from the approach at an angle. Note: The ordinance allows for angled drive if the garage was 10 degrees. (The extended drive was approved by Southwest BD - Permit)




Permit B. The street is parallel with the house and allows parking on both sides of the street. They have additional parking to the left side of the driveway and additional parking on the side of the house. Note: Ordinance do not allow for extended driveway and do not allow for additional parking alongside the garage. (No approval info on driveway)

Exhibit 2 / Page 6

This page contains no comments

12301 Permit A.
Permit was for
replacing existing
driveway concrete -
not accessory drive

12197 Longview
No Permit on file -
Illegal driveway
(Existing non-conforming)

Exhibit 2: 62A Appeal PR22-007 Revision 12/21/2022
 15336 Brest.



Parcel Information

Parcel ID	Address	City	County
00730000	15336 Brest	San Diego	San Diego
00730001	15336 Brest	San Diego	San Diego
00730002	15336 Brest	San Diego	San Diego
00730003	15336 Brest	San Diego	San Diego
00730004	15336 Brest	San Diego	San Diego
00730005	15336 Brest	San Diego	San Diego
00730006	15336 Brest	San Diego	San Diego
00730007	15336 Brest	San Diego	San Diego
00730008	15336 Brest	San Diego	San Diego
00730009	15336 Brest	San Diego	San Diego
00730010	15336 Brest	San Diego	San Diego
00730011	15336 Brest	San Diego	San Diego
00730012	15336 Brest	San Diego	San Diego
00730013	15336 Brest	San Diego	San Diego
00730014	15336 Brest	San Diego	San Diego
00730015	15336 Brest	San Diego	San Diego
00730016	15336 Brest	San Diego	San Diego
00730017	15336 Brest	San Diego	San Diego
00730018	15336 Brest	San Diego	San Diego
00730019	15336 Brest	San Diego	San Diego
00730020	15336 Brest	San Diego	San Diego
00730021	15336 Brest	San Diego	San Diego
00730022	15336 Brest	San Diego	San Diego
00730023	15336 Brest	San Diego	San Diego
00730024	15336 Brest	San Diego	San Diego
00730025	15336 Brest	San Diego	San Diego
00730026	15336 Brest	San Diego	San Diego
00730027	15336 Brest	San Diego	San Diego
00730028	15336 Brest	San Diego	San Diego
00730029	15336 Brest	San Diego	San Diego
00730030	15336 Brest	San Diego	San Diego
00730031	15336 Brest	San Diego	San Diego
00730032	15336 Brest	San Diego	San Diego
00730033	15336 Brest	San Diego	San Diego
00730034	15336 Brest	San Diego	San Diego
00730035	15336 Brest	San Diego	San Diego
00730036	15336 Brest	San Diego	San Diego
00730037	15336 Brest	San Diego	San Diego
00730038	15336 Brest	San Diego	San Diego
00730039	15336 Brest	San Diego	San Diego
00730040	15336 Brest	San Diego	San Diego
00730041	15336 Brest	San Diego	San Diego
00730042	15336 Brest	San Diego	San Diego
00730043	15336 Brest	San Diego	San Diego
00730044	15336 Brest	San Diego	San Diego
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00730049	15336 Brest	San Diego	San Diego
00730050	15336 Brest	San Diego	San Diego
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00730055	15336 Brest	San Diego	San Diego
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00730057	15336 Brest	San Diego	San Diego
00730058	15336 Brest	San Diego	San Diego
00730059	15336 Brest	San Diego	San Diego
00730060	15336 Brest	San Diego	San Diego
00730061	15336 Brest	San Diego	San Diego
00730062	15336 Brest	San Diego	San Diego
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00730064	15336 Brest	San Diego	San Diego
00730065	15336 Brest	San Diego	San Diego
00730066	15336 Brest	San Diego	San Diego
00730067	15336 Brest	San Diego	San Diego
00730068	15336 Brest	San Diego	San Diego
00730069	15336 Brest	San Diego	San Diego
00730070	15336 Brest	San Diego	San Diego
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00730072	15336 Brest	San Diego	San Diego
00730073	15336 Brest	San Diego	San Diego
00730074	15336 Brest	San Diego	San Diego
00730075	15336 Brest	San Diego	San Diego
00730076	15336 Brest	San Diego	San Diego
00730077	15336 Brest	San Diego	San Diego
00730078	15336 Brest	San Diego	San Diego
00730079	15336 Brest	San Diego	San Diego
00730080	15336 Brest	San Diego	San Diego
00730081	15336 Brest	San Diego	San Diego
00730082	15336 Brest	San Diego	San Diego
00730083	15336 Brest	San Diego	San Diego
00730084	15336 Brest	San Diego	San Diego
00730085	15336 Brest	San Diego	San Diego
00730086	15336 Brest	San Diego	San Diego
00730087	15336 Brest	San Diego	San Diego
00730088	15336 Brest	San Diego	San Diego
00730089	15336 Brest	San Diego	San Diego
00730090	15336 Brest	San Diego	San Diego
00730091	15336 Brest	San Diego	San Diego
00730092	15336 Brest	San Diego	San Diego
00730093	15336 Brest	San Diego	San Diego
00730094	15336 Brest	San Diego	San Diego
00730095	15336 Brest	San Diego	San Diego
00730096	15336 Brest	San Diego	San Diego
00730097	15336 Brest	San Diego	San Diego
00730098	15336 Brest	San Diego	San Diego
00730099	15336 Brest	San Diego	San Diego
00730100	15336 Brest	San Diego	San Diego

15336 Brest. The houses are parallel to the street and parking is allowed on both sides of the street. One house is on a corner and the other is not but has a circle drive. Note: Both have an easement for the driveway. Note: Ordinances do not allow for extended driveway. 0 Brest Has Approval from Southgate - Permit / 15336 Brest No approval into on driveway / (WALKING DISTANCE)

15336 Brest. The house is on a cul-de-sac that allows some non-parallel street parking in front of the house. This also allows additional parking with an extended driveway leading from the approach at angle. Note: The ordinance allows for angled drive if the garage was turned 90 degrees. (No approval into on driveway).

Exhibit 2 / Page 7

This page contains no comments

15350 Brest
 Replacing existing
 driveway.
 No other records for
 driveway on file
 15336 Brest
 No Driveway Permits
 on file.

14975 Oxford Ct.
 No Permit on file for
 widened driveway.
 Illegal!

This page contains no comments

Exhibit 2: BZA Appeal PR22-007 Revision 12/21/2022



see St.



about 10' (same as Longtin) The street is parallel with the house and allows parking on both sides of the street. Note: They have additional parking to the right side of the driveway and additional parking on the side of the garage. Note: Ordinances do not allow for extended driveway and do not allow for additional parking alongside the garage. (The extended drive was approved by Southgate PD - Permit) (NEXT PAGE)

15002 Malcolm
No driveway permit
on file

12622 Devoe St.
Replace "existing driveway"
No mention of "access
driveway"



Receptor	Location	Effect	Effectors
Adrenocortical	Adrenal cortex	Secretion of cortisol	ACTH
Thyroid	Thyroid gland	Secretion of thyroid hormones	TSH
Parathyroid	Parathyroid glands	Secretion of parathyroid hormone	PTHrP
Testis	Testis	Secretion of testosterone	LH
Ovary	Ovary	Secretion of oestrogen and progesterone	FSH, LH

11185 Morningview
"Driveway replacement"
Additional 4.5' wide
was supposed to be
for "walking path"
Not for parking.

Exhibit 2 / Page 9



unders 54. The street is parallel to the house and allows parking on both sides of the street. Note: an extended concrete driveway (including the easement) and they also have an additional concrete on the side of the garage. Note: Ordinance do not allow for extended driveway and do not allow for parking alongside the garage. (The extended drive was approved by Southgate RD - Zoning Permit 27) approved with a Building Modernization Permit, what is this? permit highlights Replace Driveway and from the pictures and layout drawing it shows only adding to that the old driveway was not replaced) with PB20-0137 expired and when I called BD, it was explained to me since it was a zoning permit only I require (the layout was approved) so the final inspection was not needed

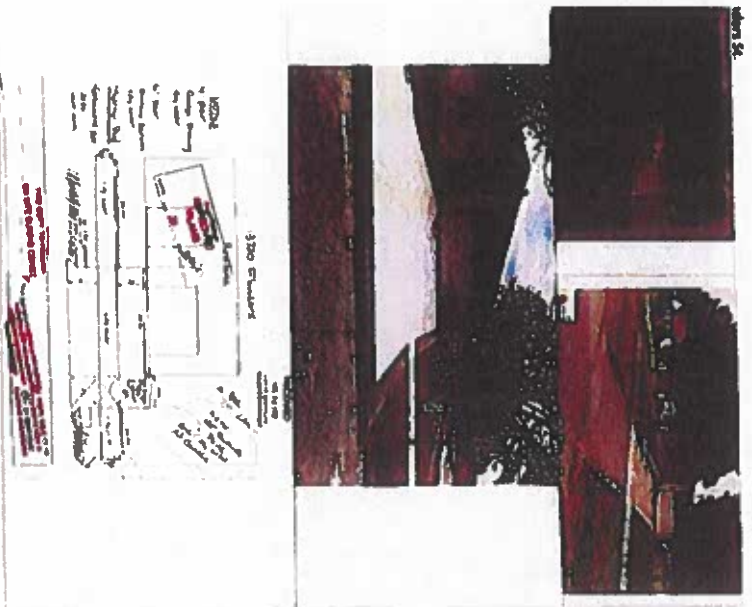
Exhibit 2 / Page 10

This page contains no comments

13739 Flanders
 Note: Red line around
 area next to driveway
 is Not on Permit - Ray
 Good added this!
 Permit was for driveway
 replacement Not for
 access driveway!
 NO FINAL

This page contains no comments

Exhibit 2: BZA Appeal PE22-007 Revision 12/24/2022



13720 Flinders
Permit approved as
noted. Easement was
not permitted - letter was
sent.
No inspection called for.
BZA approved because of
unusual circumstances.

Регистр Р822-0777


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 Fax: 202-462-1001
 Email: drosenberg@rosenberglaw.com

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Produced by *studio*, engineered by *studio* in April and October 2007

Abstract

There is a direct impact on the reputation of the Bank of Italy, especially in the case of a downgrade, as explained by the director of External Affairs, Roberto Cazzulani. "It is a devastating scenario for a country, especially if it has to do with Italy. Foreign

anders St. The street is parallel to the house and allows parking on both sides of the street.

proved by Kraft Brown on 8/10/22 (via stamp) [Note Mr. Brown denied my layout back in

023. (for details review original BZA dated 10/17/22))

Owner denying the request sent 8/12 (SG Stamp said received 8/15/12)

Owner applied for BZA (BZA 03-2022)
 received 8/30/22 (Note the CMA denied my request 11/3/22)

June 9/12/2022 - Board Approved

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

RECEIVED
Building Department
City of Southgate
14600 Oak-Tilden Road
Southgate, MI 48180

Page No. 02
Case No. BZA
Date Received

CITY OF SOUTHGATE
APPLICATION FOR BOARD OF ZONING APPEALS

Concerning an appeal to vary or modify certain regulations established in TITLE SIX, currently referred to as the Zoning Code for the City of Southgate:

TO BE COMPLETED BY THE APPLICANT:

Owner/Applicant	Agent
Name: <u>Raymond / Sarah Good</u>	Name: _____
Address: <u>12930 Churchill</u>	Address: _____
City: <u>Southgate, MI</u>	City: _____
State: <u>48195</u>	State: _____
Zip: _____	Zip: _____
Telephone: <u>313-402-8635</u>	Telephone: _____

Information regarding the site:

Legal Address: 12930 Churchill

After Cross Street: McCann - Northline

Parcel No.: S3 005 02 0050 000

Acres: 0.189 Dimensions of Parcel: 55.00ft x 130.46ft Frontage: 55.00 ft

Current Zoning (please attach): RE R-1 R-1A R-1B RM RO C-1 C-2 C-3 M-1 MH PD P-1

Current Use: Residential

Requested action:

☐ Denial of Variance
(For example - Front yard setback from 25 feet to 20 feet.)

☐ Interpretation of the Zoning Ordinance or Map

☐ Appeal from the Planning Commission or Zoning Administrator

☐ Other

Please specify: _____

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023
Zoning Appeals Application

Don't forget to request a meeting before the body for

Don't forget to request a meeting before the body for

is a variance for an Access Drive per 1294.08 Access Through Yard (Fig. 1a) and if granted it would allow access

ry in rear yard and eliminating further damage to my front and side yard.

e currently don't have an adjacent land user and the project will be within the property lines.

submitted a City of Southgate Building Permit Application (Fig. 5) to install an Access Drive per 1294.08 (Fig. 1a)

of the Building Department denied my application noting that we are in violation of Ordinance 1197.03 (c)(6)

4. 1b) "may install a driveway as wide as the front garage wall"

requested a meeting to discuss zoning code 1294.08 with the Southgate Building Department and they replied

a email "No need for a meeting. This isn't a pool you're going to change my view on". (Fig. 2a)

ON CLEARLY SPECIFYING THE REQUEST MUST BE ATTACHED TO THE APPLICATION FOR IT

VALID. IF REQUESTING A VARIANCE, FORM 60A MUST BE ATTACHED. Fig. 1a 61b

Agent / Agent must appear before the Board of Zoning Appeals on _____ (Date)

NOT A / AGENT OF THE PROPERTY DISCLOSED ON THIS APPLICATION SUBMIT THAT ALL

ENTRIS HEREIN AND IN THE DOCUMENTS PROVIDED ARE TRUE.

I, _____, Owner / Agent, _____ Date: _____

at your application property, Board of Zoning Appeals members may need access to the property to

Please initial if permission is given for property access. INITIALS _____

at the point of the above then this application is submitted to the City.

DATE: _____

Received By: _____ (Staff's Name)

Signature No. 2007

**APPLICATION FOR BOARD OF ZONING APPEALS
DIMENSIONAL VARIANCE**

compliance with the Ordinance results in a practical difficulty?

ive is considered a structure and shall be permitted in any required yard.

Washing dishes?

nders Sr (Access Drive) (Fig. 6)

we have an accessory in the rear yard.

we have a short path leading from a public road to an accessory

these drivers shall not be considered as structural violations per 1294.08 (Fig. 1a)).

Is Crohn's in fact self-inflicted?

an Access Drive would eliminate any blight that may lead to future code violations and penalties.

requirements of 1294.08 that would allow an Access Drive to access the real yard.

ACT 1. have an accessory in the rear yard.

FIG. 2. I have a short path leading from a public road to an accessory

my yard.

rough yard. This Zoning Code accommodates the residents of Southgate and their need for an access drive.

This page contains no comments

Exhibit 3: BZA Appeal PR23-002 Access Drive 4/14/2023

o variance is the minimum necessary to permit reasonable use of the property?
poroved variance would allow reasonable use of the property by allowing access to my accessory in the rear
I also improve the aesthetics of our property without disturbing the integrity of our neighborhood.
quencies of a debris wall lead to damage to my lawn (dirt paths, blight). Ultimately affecting future curb appeal
ordinance violations.

o variance, if granted, would not compromise the public health, safety and welfare?
it would not compromise public health, safety, and welfare.

Exhibit 3: 82A Appeal PR23-002 Access Drive 4/14/2023

1 ACCESS THROUGH YARDS.
The purpose of this Zoning Code, access drives may be placed in the required front yard so as to provide access to accessory or attached structures. These drives shall be considered as structural violations in front and side yards. Further, no walk, or other pavement servicing a blue function, and not in excess of nine inches above the surface upon which it is placed, shall, for the purpose of this Zoning Code, be considered a structure, and the same shall be permitted in any required yard.

Fig. 1a

LAYOUT, CONSTRUCTION AND MAINTENANCE OF PARKING AREAS.
Single-family residences with an attached garage on a cul-de-sac or concave curve of a street property line may install a driveway as wide as the front garage wall, subject to the provisions of 129A.04(a)(1), containing the vehicle entrance door; however, the drive must be no wider than the City sidewalk not to exceed forty percent of the front lot width.

Fig. 1b

Send an email to Tim asking for a meeting to discuss 129A.08.

Leach Email:

for a meeting. This isn't a point you're going to change my view on."

Good clipped email and emailed the form.

Fig. 2a

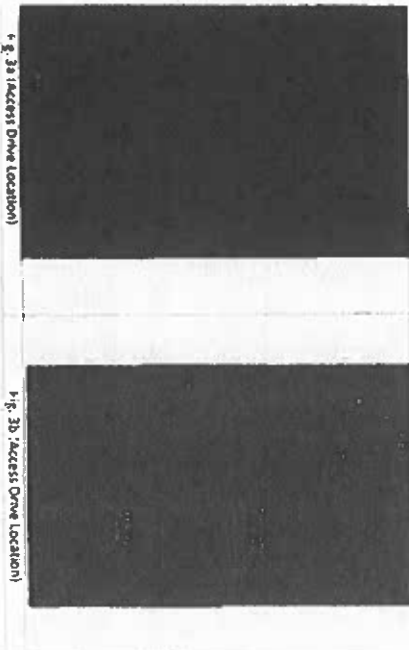


Exhibit 3 / Page 5

Address in BZA PR-24-00 Pg 8

[illegible]

Exhibit 4 / Page 1

Exhibit 4: Additional Access Drives



added to the Access Drive 2 driveway (not a circle drive) No other

This page contains no comments

Exhibit 4: Additional Access Drives



Vestminster St (Access Drive) (accessory garage and shed) (no permit for power), permit for (2022
not in June of 2022

Exhibit 4: Additional Access Drives



Reack Rd (2 driveway) No. 1 for 2nd drive. Permit for a fence #22.0139 fence in June of 2022

This page contains no comments

Exhibit 4: Additional Access Drives



unpaved St. Island Driveway or access drive

Exhibit 4 / Page 5

This page contains no comments

Exhibit 4: Additional Access Drives



Exhibit 5: (Access Drive) Permit P013-0028 (CONCRETE DRIVEWAY AS PER APPROVED PLANS)

This page contains no comments

See copy of Permit - Replaced Approach driveway and front part of existing driveway.

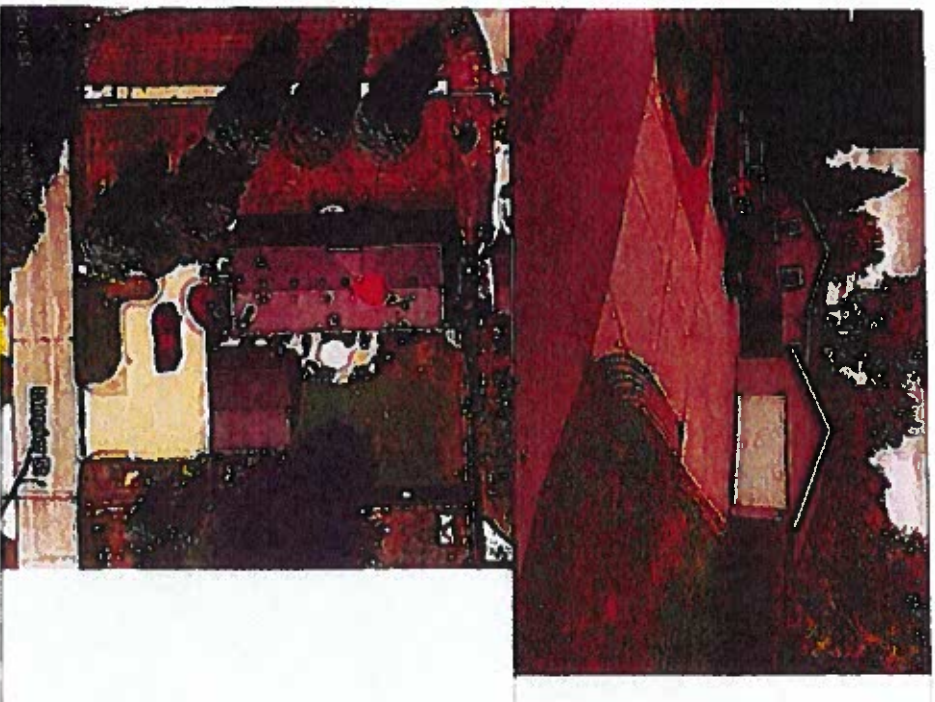
This page contains no comments

Exhibit 4: Additional Access Drives



Ken Rd (Access Drive) No. 70001, just west was 2017

Exhibit 4: Additional Access Drives



Ben Rd [reversed drive and grass access drive] as well was MA.

This page contains no comments

This page contains no comments

Exhibit 4: Additional Access Drives

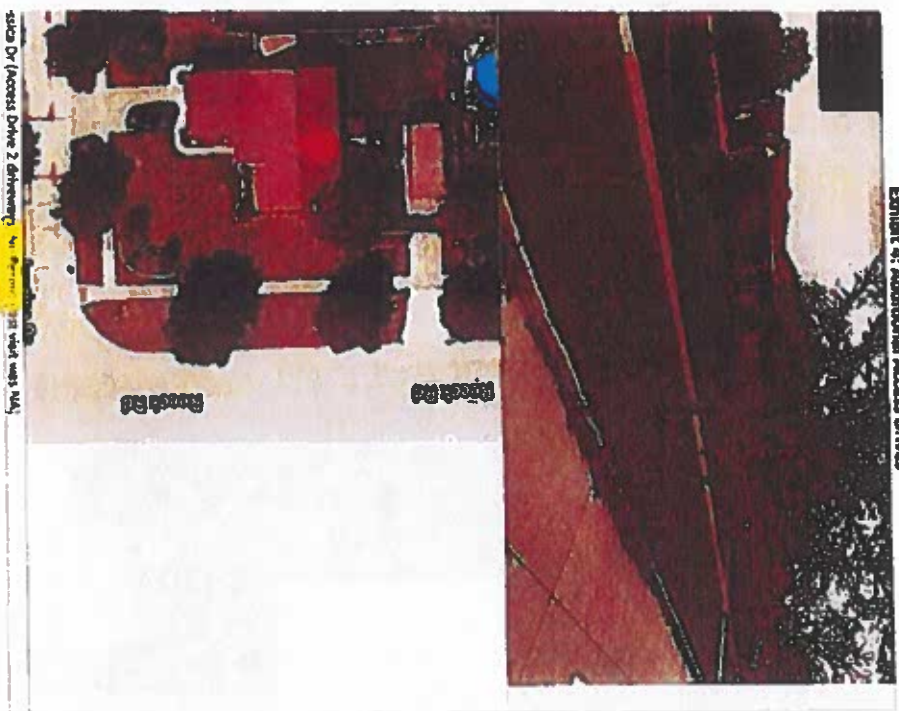


Exhibit 4: Additional Access Drives



Ken Rd (Extended Drive and Access Drive) No Survey - (last visit was 2017)

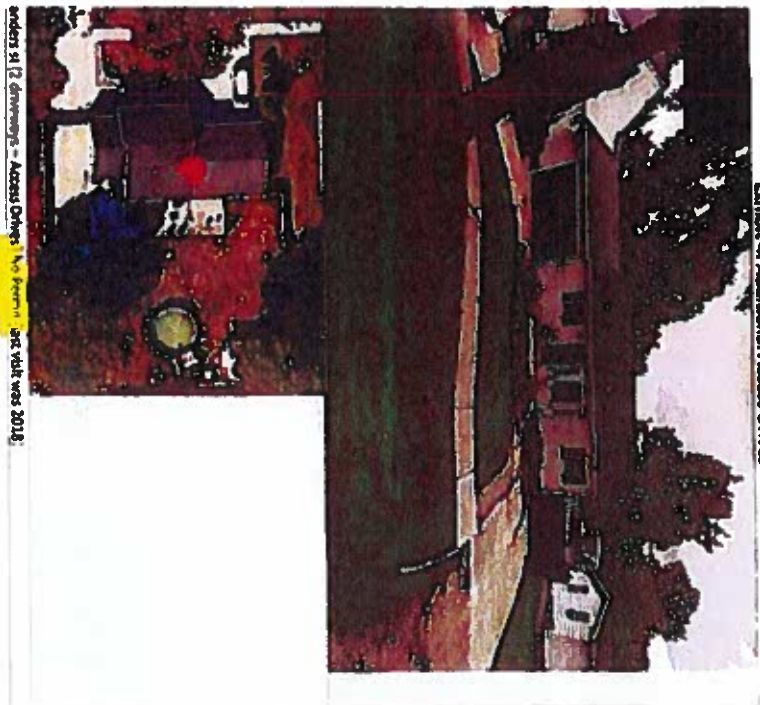
This page contains no comments

Exhibit 4: Additional Access Drives



Produce St (Access Drive, Bird's Point) No Photo & Aerial view was 2021

Exhibit 4: Additional Access Drives



orders of 2 driveway - Access Drives - No form - air visit was 2018

This page contains no comments

This page contains no comments

Exhibit 4: Additional Access Drives



This page contains no comments

Exhibit 4: Additional Access Drives



Ken Mc (Access Drive) Det and Grass No. 11111 (last visit was 2020)

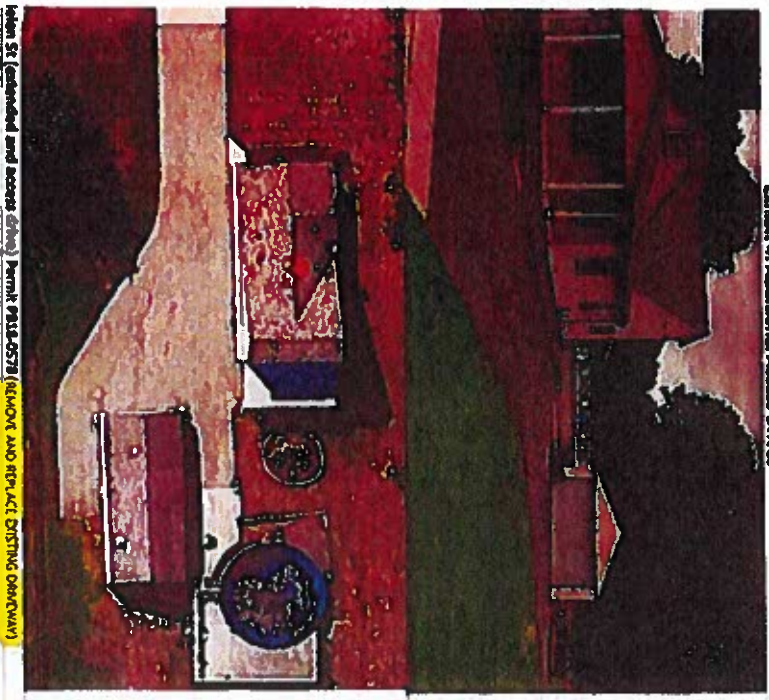
Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives

This page contains no comments

Exhibit 4: Additional Access Drives



Allen St (extended and access drive) Permit #118-0578 (REWORK AND REPLACE EXISTING DRIVEWAY)

This page contains no comments

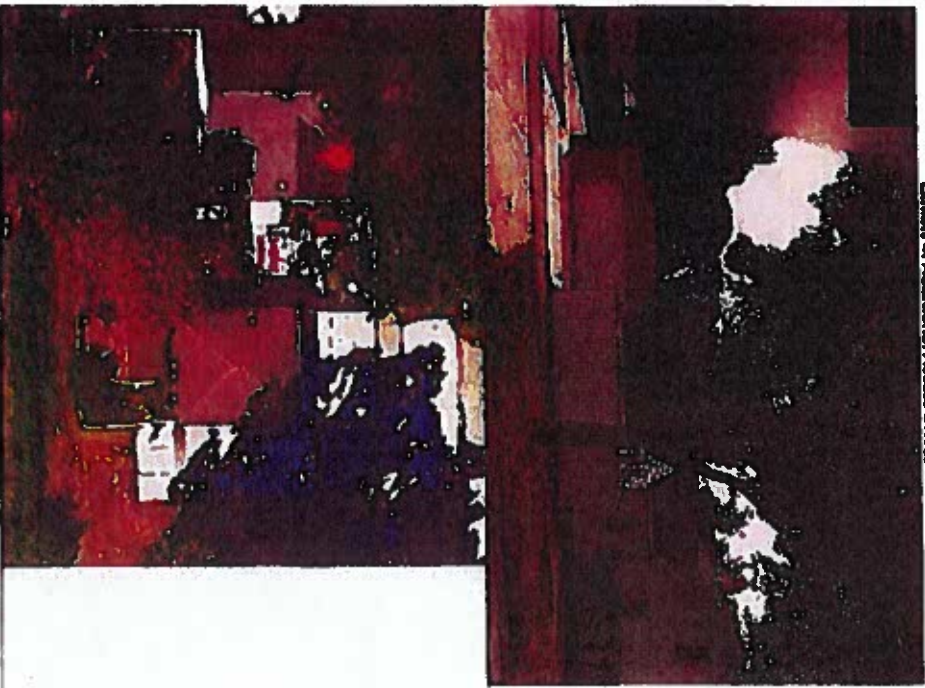
Exhibit 4: Additional Access Drives



den St (access drive. No Permit (last visit was N/A)

This page contains no comments

Exhibit 4: Additional Access Drives



Mahlen St (Access Drive) Permit #18-0188 R.R. R. DRIVEWAY 17' X 22' 24' R.R. APPROACH 11' X 20' X 14' PAV 24' X 12' SERVICE WALK 5' X 12' INSTAL 10' X 20' PARKING PAD AS PER APPROVED PLAN)

Exhibit 4 / Page 18

This page contains no comments

- Note: this is in "rear yard" - allowed corner lot.

Exhibit 4: Additional Access Drives

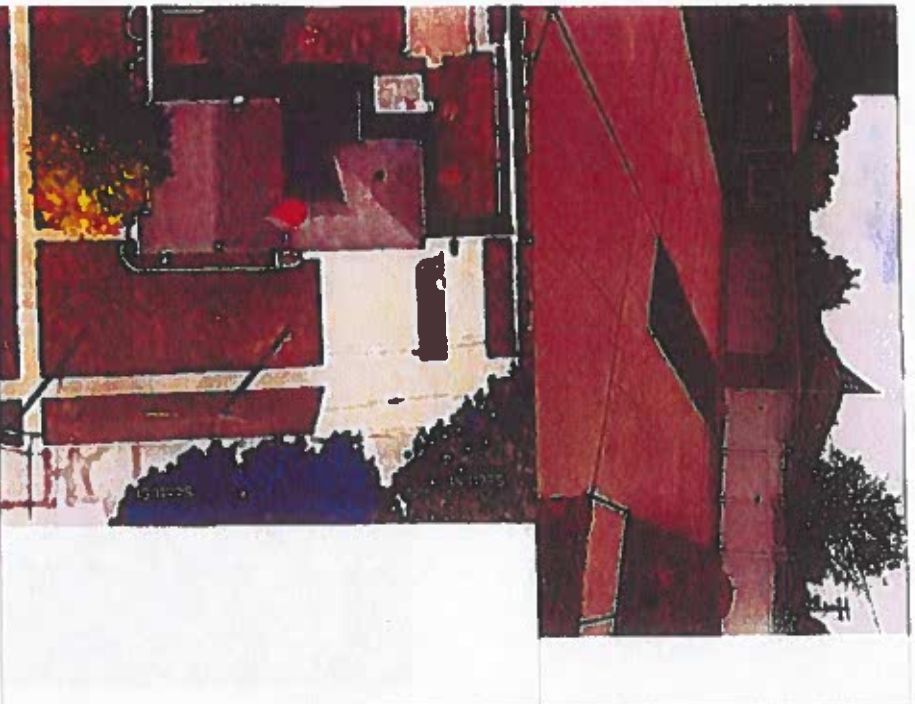


Exhibit 4: Additional Access Drives

This page contains no comments

This page contains no comments

Exhibit 4: Additional Access Drives



MOE SI (Access Date: N/A) (last visit was 2017)

This page contains no comments

Exhibit 4: Additional Access Drives



This page contains no comments

Exhibit 4: Additional Access Drives



area St (Access Drive) No permit (last visit was 2018)

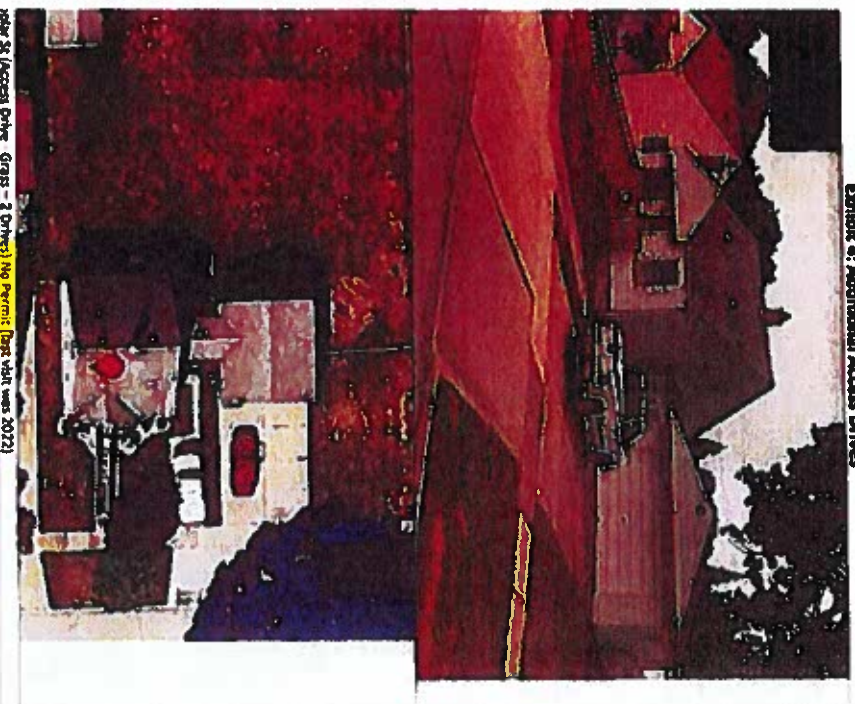
Exhibit 4: Additional Access Drives



aroline St (Access drive) (Extended Drive) - Photograph was taken 2015

This page contains no comments

Exhibit e: Additional Access Drives



Spoke St (Access Drive) Grass - 2 Drives (No Permit) (last visit was 2022)

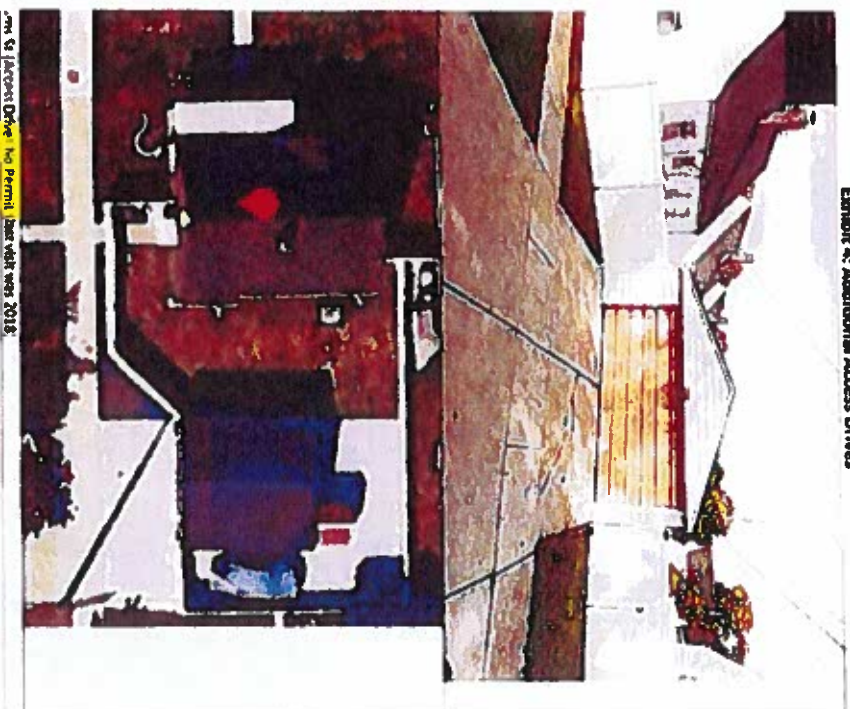
This page contains no comments

Exhibit 4: Additional Access Drives



emmon rd (access Drive) (Garage) No Permit (last visit was 2020)

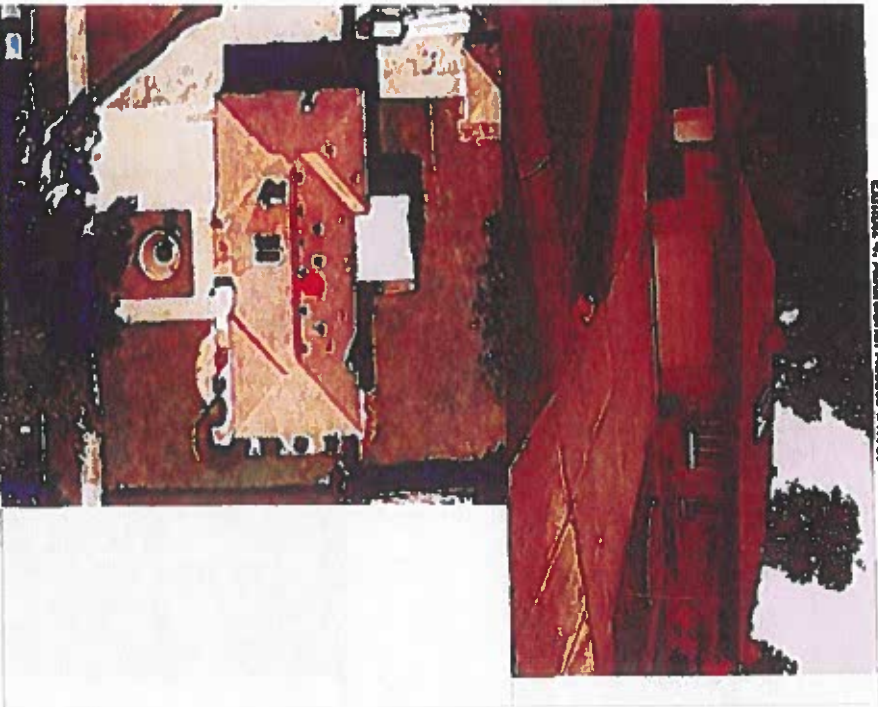
Exhibit 4: Additional Access Drives



on St Jackson Drive No Permit Issued since 2018

This page contains no comments

Exhibit 4: Additional Access Drives



2016 St (Access Drive) Gravel / No Permit (last visit was 2015)

This page contains no comments

Exhibit 4: Additional Access Drives



17 St (Access Drive) (Gravel) Permit: PG14-0538 (INSTALL A 27' X 29' DRIVEWAY AS PER APPROVED PLANS. | (last 2019)

This page contains no comments

Gravel was not permitted

Exhibit 4: Additional Access Drives

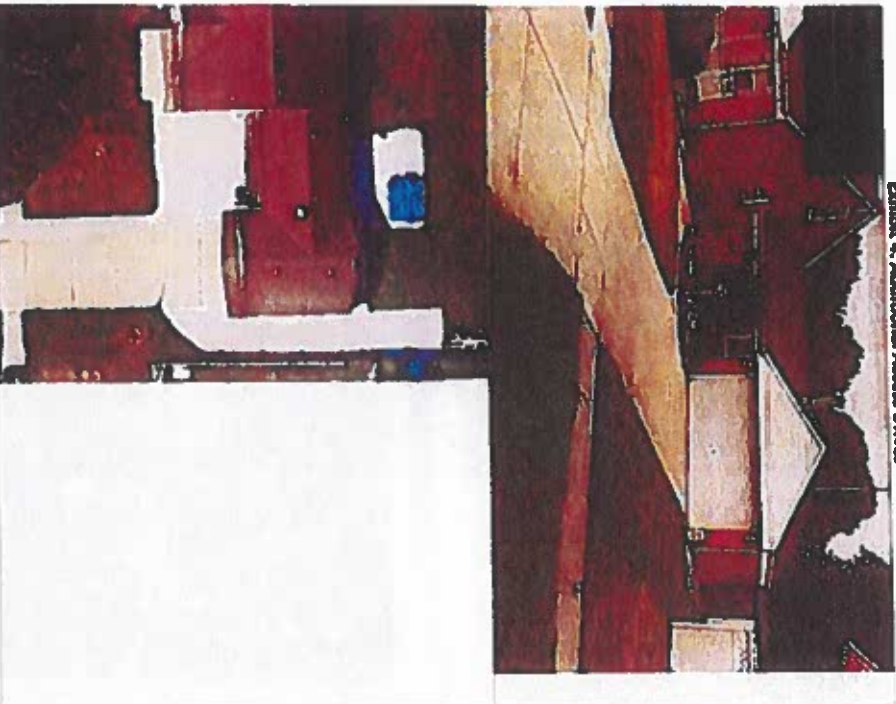


Exhibit 5: Access Drive / Extended Drive) Permit P220-0335 (MAKE DRIVEWAY WIDER AS PER APPROVED

This page contains no comments

See permit - "Only as wide as the garage
The rest was installed without it."
(NO PERMITTING)

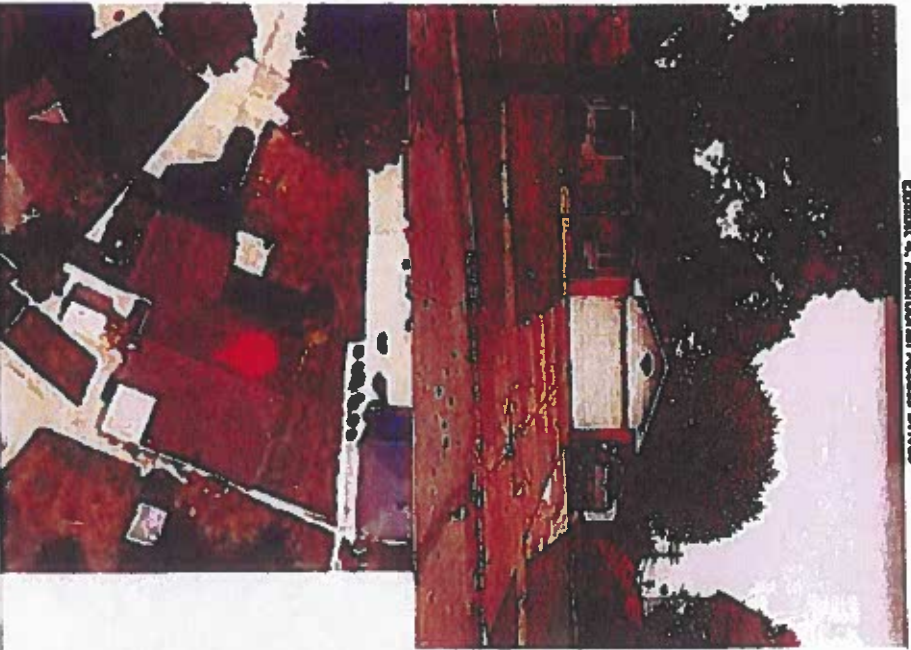
Exhibit 4: Additional Access Drives



on the Rd (Access Drive) / 2 driveways to the left was 2021 New Sidewalk!

This page contains no comments

Exhibit 4: Additional Access Drives

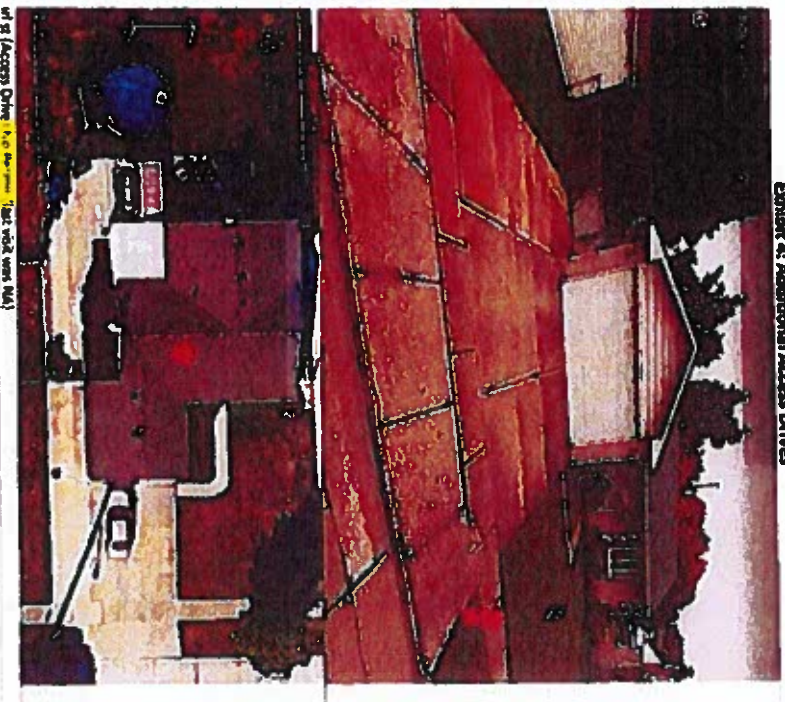


Karl St (Access Drive) Permit P/13-0004 (PASTAL DRIVEWAY, CONCRETE MD W/ LATWALL, AND
2 MD ASPHALT DRIVEWAY, NOT TO BE COVERED, AS PER APPROVED PLANS)

Exhibit 4 / Page 31

This page contains no comments

Exhibit 4: Additional Access Drives



of 2 (Access Drive) 10.00 Per Foot (Not sold with MA)

This page contains no comments

Exhibit 4: Additional Access Drives

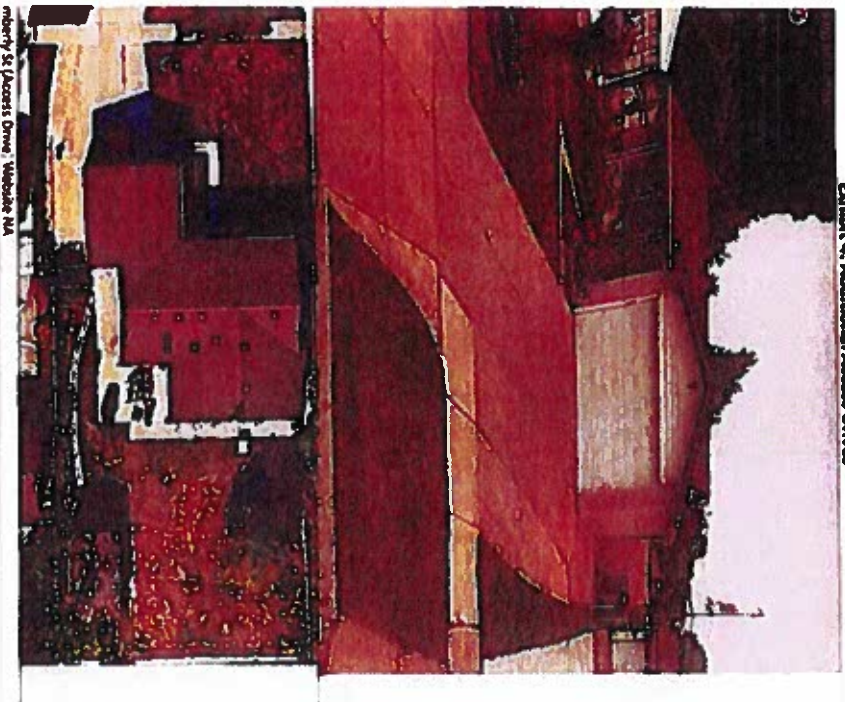


not as (Access Drive) Permit # 9821-0555 (a) a DRIVEWAY APPROACH, GARAGE FLOOR, SERVICE WALKS & AUTO
APPROVED PLANS ADDED ON REVISION 6/9/71 SHED ROAD WITH RAILWAY, STEP AT DOORWALL, RATIO OFF (BNC)

This page contains no comments

*Service Walks approved
Driveway is only as wide as the garage*

Exhibit 4: Additional Access Drives



onberry St (Access Drive), Webster MA

This page contains no comments

No Permits

Exhibit 4: Additional Access Drives



Andover, MA 01810

This page contains no comments

No Permits

Exhibit 4: Additional Access Drives

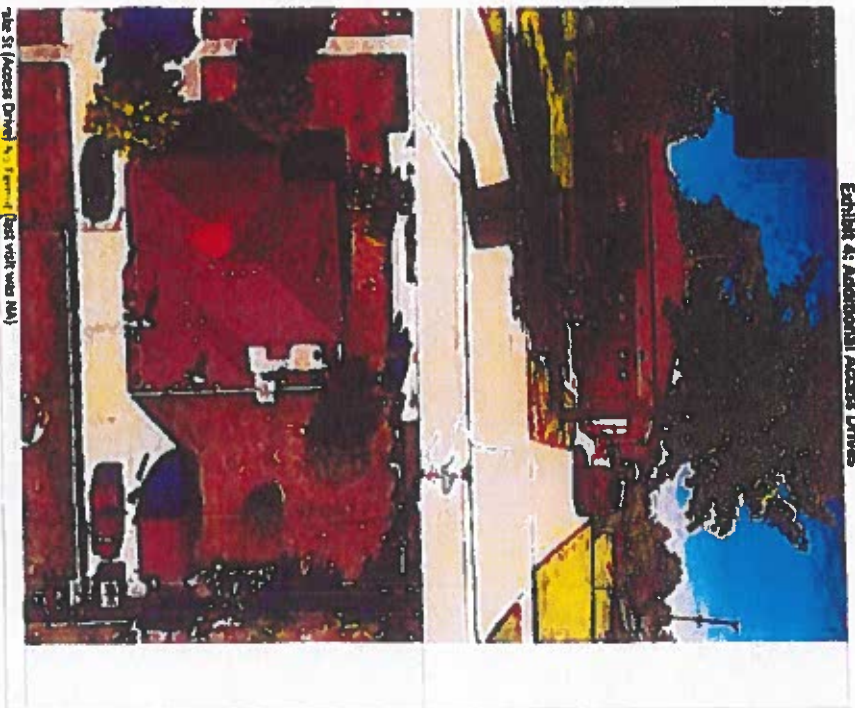


Underneath 52 (Access Drive) No. 10000 (Just west west 800)

This page contains no comments

This page contains no comments

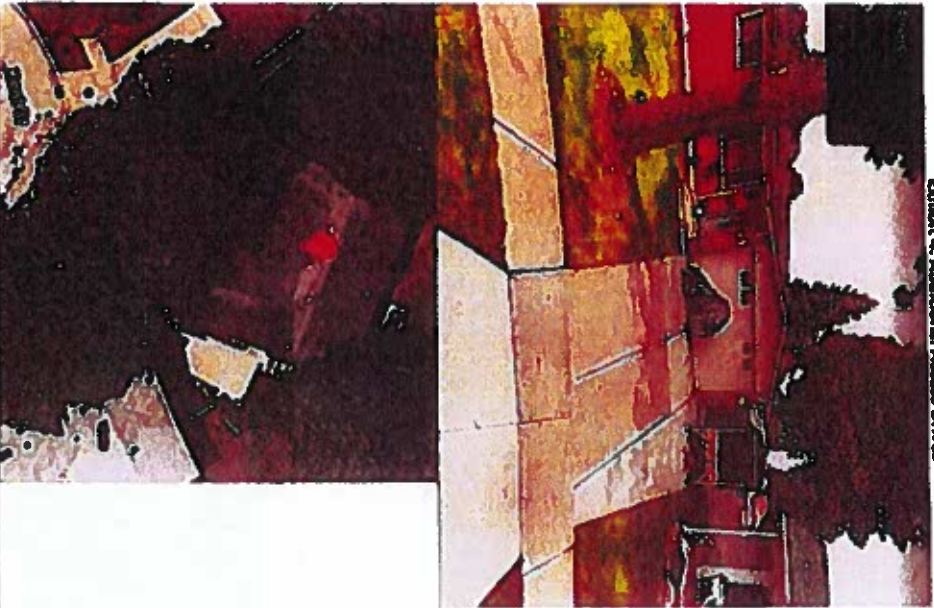
Exhibit 4: Additional Access Drives



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See Permit

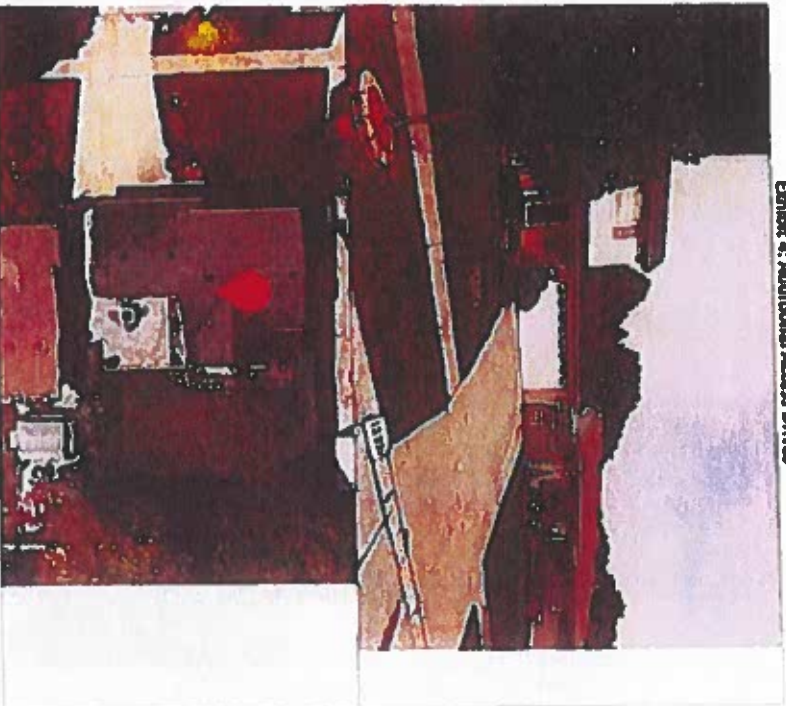
Exhibit 4: Additional Access Drives



Area C4 (Access Drive) Permit #2014-0372 (4.8 x 7.1' APPROACH @ 6' APPROX. 510 SF OF DRIVE @ 4.8 x 8.1
MAY SQUARE, AS PER APPROVED PLAN)

This page contains no comments

Exhibit 4: Additional Access Drives



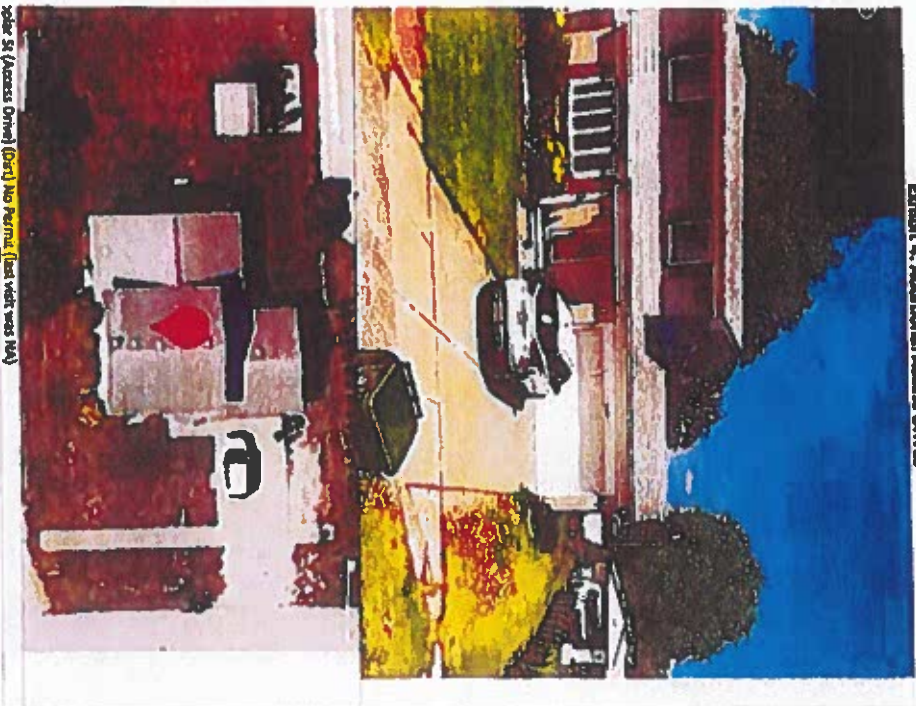
ME Ct (Access Drive) / NO PAVING (last visit was NA)

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives (Crane No Permit (last visit was 2021))

Exhibit 4: Additional Access Drives



Order 51 (Access Drive) (Part) No Permit (Just visit was OK)

This page contains no comments

Exhibit 4: Additional Access Drives



Exhibit 4: Additional Access Drives

PAGE 11 (Access Date) No. 841007 JST WSH was 2023)

This page contains no comments

Exhibit 4: Additional Access Drives

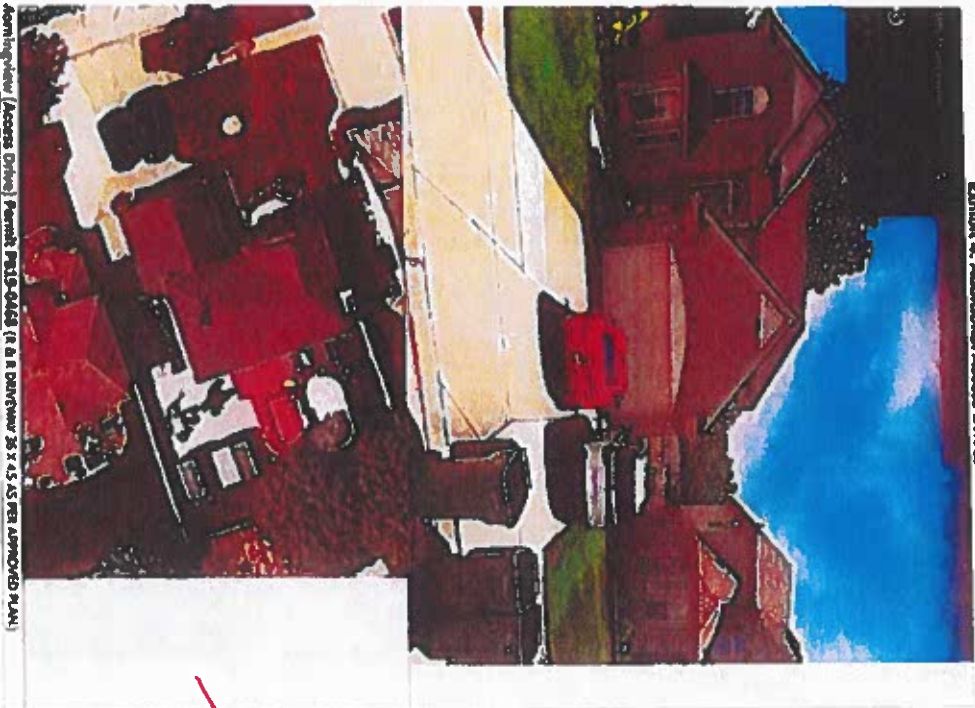


Devote at (Access Drive) Permit P012-0701 (A. H. DRIVEWAY AND SERVICE WAY) AS PER APPROVED

This page contains no comments

"Replace existing driveway
see permit"

Exhibit 4: Additional Access Drives



Administrative (Access Drive) Permit PMS-0468 (2 & 4 Drive) 36 x 4.5 AS PER APPROVED PLAN.
Exhibit 4 / Page 45

This page contains no comments

Replace "existing drive" add 4.5' service walk. called for.
No Inspections

Exhibit 4: Additional Access Drives



Highway 51 (Access Drive) from 100' view N41

This page contains no comments