

CITY OF SOUTHGATE

Board of Zoning Appeals

AGENDA

MONDAY, December 8th, 2025

5:30 PM

I. CALL TO ORDER

II. ROLL CALL

Anderson, Foucher, Grupczynski, Orman, Poirier, Stephan, Victory

III. MINUTES

1. Minutes of regular Board of Zoning Appeals Meeting dates August 11th, 2025.

IV. ADMINISTRATIVE REPORTS

V. PUBLIC HEARINGS

1. Variance request from section 1298.14, Fences at 12737 Commonwealth.

VI. NEW BUSINESS

1. Variance request from section 1298.14, Fences at 12737 Commonwealth.
2. Approval of 2026 Board of Zoning Appeals Meeting Dates and Times

VII. OLD BUSINESS

VIII. ANNOUNCEMENTS

IX. ADJOURNMENT

City of Southgate
Board of Zoning Appeals
AUGUST 11, 2025

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, August 11, 2025 and called to order by Pat Poirier, Vice Chairperson at 5:30 p.m.

PRESENT: Pat Poirier, Jill Stephan, Tim Foucher, Patricia Anderson

ABSENT: Tom Coombs, Jake Orman

ALSO PRESENT: City Planner Joe Pezzotti, Building Official Tim Leach, City Attorney Ed Zelenak

Minutes:

Moved by Foucher, supported by Anderson, to approve the minutes of the Board of Zoning Appeals Meeting dated July 14, 2025. Motion Carried Unanimously.

Public Hearing/New Business:

1. Southgate Superior Hospitality, LLC, 12790 Reeck Road, Southgate MI, Variance to Section 1289.05(b), Required Conditions (Hotel Overlay District). BZA 06-2025

A PUBLIC HEARING WAS HELD FOR SOUTHGATE SUPERIOR HOSPITALITY, LLC, 12790 REECK ROAD, SOUTHGATE, MI, VARIANCE TO SECTION 1289.05(b), REQUIRED CONDITIONS (HOTEL OVERLAY DISTRICT).

Notices were sent out.

Moved by Anderson, supported by Foucher, to open the Public Hearing.

The applicant is requesting a variance from section 1289.05(b), Required Conditions (Within the Hotel Overlay District) to allow for a greater building height than allowed for a new hotel establishment located at 12790 Reeck Road. Section 1289.05(b) states “The maximum height shall be 40 feet, with no maximum story requirement.”

We believe the requested variance is reasonable and based on the criteria of section 1264.06, we recommend approval of the requested variance to allow the additional seventeen (17) feet of building height.

The applicant stated that are very excited for this project and very proud to be building another hotel in the City of Southgate. The variance request is needed to comply with the Homewood Suites brand.

No public comments were received.

Moved by Foucher, supported by Anderson, to close the Public Hearing.

Moved by Foucher, supported by Anderson, to approve the request by Southgate Superior Hospitality, LLC, 12790 Reeck Road, Southgate, MI, for a variance from Section 1289.05(b), Required Conditions (Hotel Overlay District). Motion Carried Unanimously.

Old Business:

The BZA would suggest the Planning Commission and the City look at revising the Ordinance on the maximum height required for a new hotel establishment. Section 1289.05(b), Required Conditions.

Moved by Foucher, supported by Stefan, to elect Mr. Pat Poirier, to serve as Chairperson of the Board of Zoning Appeals, for the remainder of the year 2025. Motion Carried Unanimously.

Moved by Anderson, supported by Stefan, to elect Mr. Tim Foucher, to serve as Vice Chairperson of the Board of Zoning Appeals, for the remainder of the year 2025. Motion Carried Unanimously.

Announcements:

None.

Moved by Foucher, supported by Stefan, that this meeting of the Board of Zoning Appeals be adjourned at 5:52 p.m. Motion Carried Unanimously.

Angie Shurkus
Recording Secretary
August 11, 2025

RETURN TO:

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

Form No. 02

Case No. BZA

07.2025
Date Received 11-7-2025

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 <u>Christopher Lyle</u>	Name _____
Address <u>12737 Commonwealth St.</u>	Address _____
<u>Southgate</u> <u>MI</u> <u>48195</u>	_____ (City) (State) (Zip)
Telephone <u>989-400-3972</u>	Telephone _____

Information regarding the site:Street Address: 12737 Commonwealth Street

Major Cross Streets: _____

Parcel No. 53 018 02 0995 000Acreage: 0.107 Dimensions of Parcel: _____ Frontage: _____

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: _____

Requested action:☒ Dimensional Variance Requested Variance: Fence Height variance on alley side to 4'
(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 _____

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.)

When our fence was installed during the COVID pandemic we obtained the necessary permit and our contractor submitted site plans approved by the city. However, due to the pandemic there was a miscommunication; there was a contractor error on the drawing RE: the gate and when final inspection was called on 4/15/2021 the permit was rejected with no response from the city with a reason why. During this time the building dept. was partially shutdown so the front desk clerks were not working which also impacted communication. Thank you!

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.

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 CL

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.: _____

**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?

Compliance with the 30" height requirement would create a practical difficulty because our property borders a public alley. The existing 4' section provides necessary privacy and security from pedestrians while maintaining visibility for vehicles.

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

Our property is unique because it borders an alley unlike most other residential lots in our district. The alley exposure increases visibility and accessibility to our yard, creating a need for slightly higher fencing past our gate. The neighbor behind us that shares the alley also have a fence to the sidewalk and it's taller than ours.

3. Why the problem is not self-inflicted?

It was not self-inflicted - the fence was installed during the pandemic under an approved permit using plans approved by the city. The fence height matches the original fence that had been in place for many years, so the current condition maintains what was there - not some new nonconformity.

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

Requested variance is limited only to the short section of fence from the gate to the end of driveway, no other portions exceed limits. The 4' is the minimum necessary to provide reasonable privacy + security from the alley.

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

It will not compromise public health, safety, and welfare. The fence does not obstruct visibility for drivers exiting the nearby Domino's pizza driveway. The fence is well-constructed and stable, the variance would allow an existing, safe condition to remain in place.

Other home/neighbor

Fence →

← Fence

Garage

House

GATE

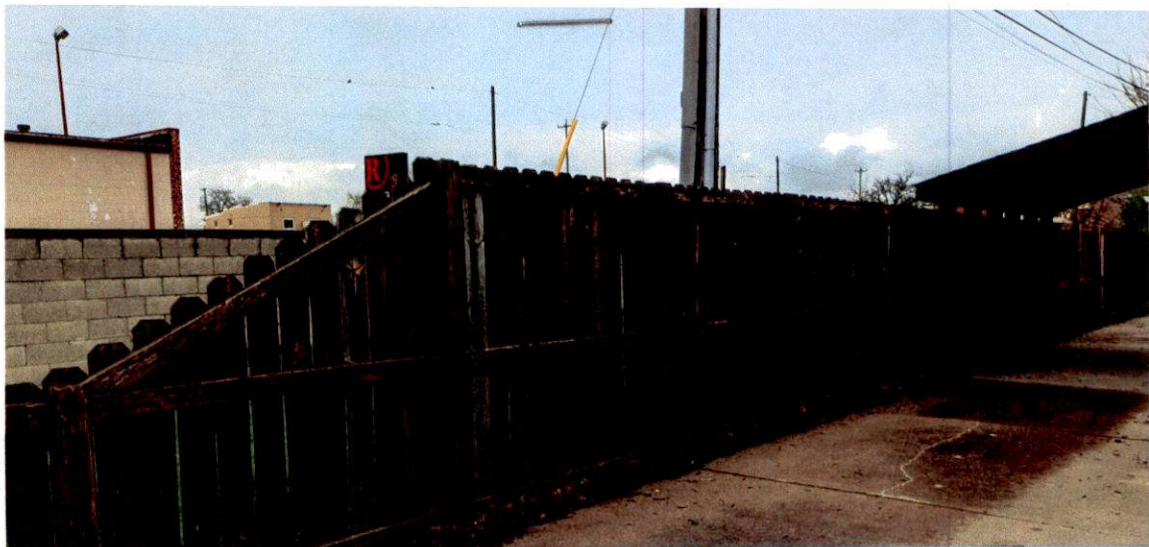
Tapers
to 4'

24'

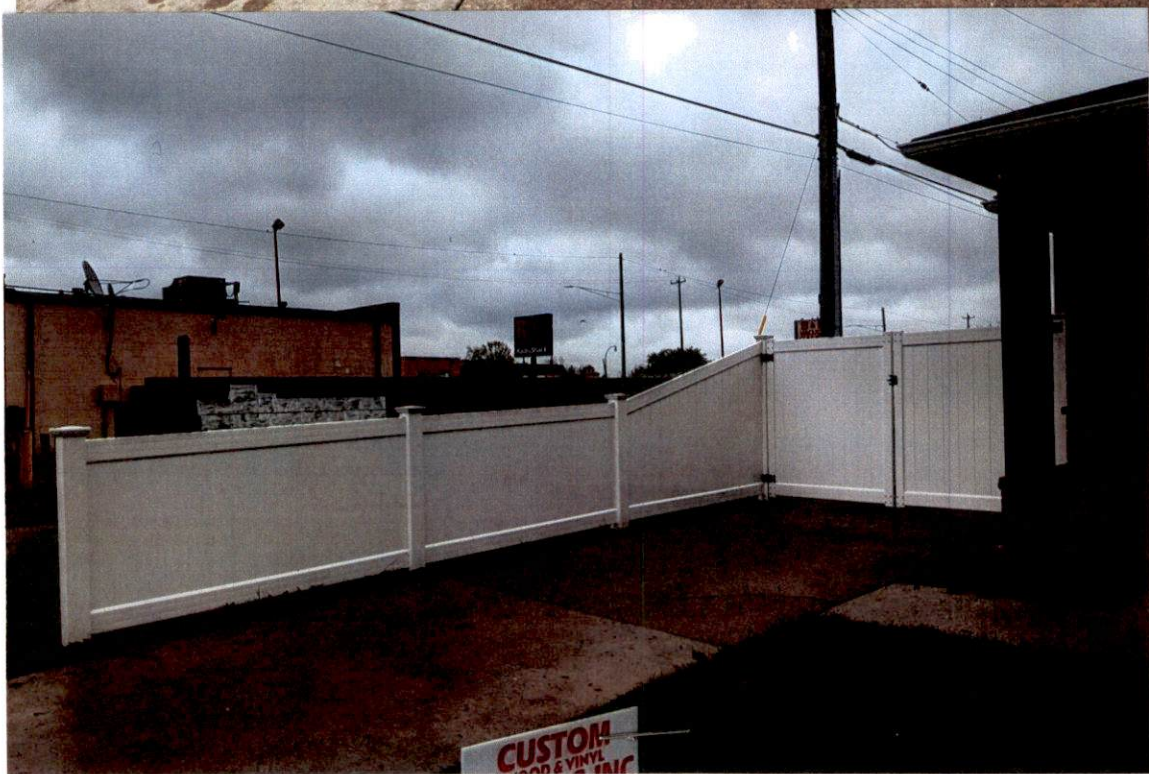
Variance
Requested

Front of house

Before



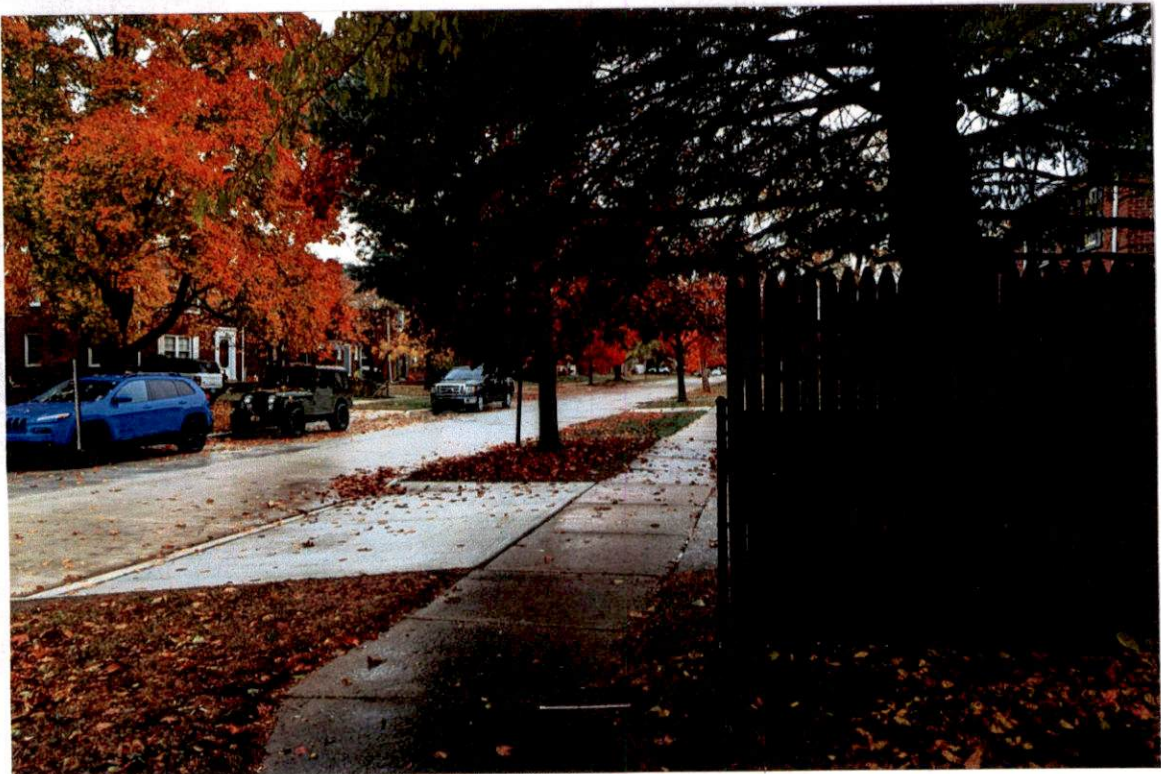
After



View from Domino's driveway



Neighbor's fence along same alley





City of Southgate

DEPARTMENT OF BUILDING AND SAFETY ENGINEERING

14400 Dix-Toledo, Southgate, MI 48195
Office: 734-258-3030 Fax: 734-281-6670

**Permit Number :
PB21-0159**

Issued: 03/12/2021
Expires: 09/08/2021



INSPECTION LINE: 734-258-3030 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: Mon-Fri, between 8:30-4:30.
FAILURE TO CALL FOR AN INSPECTION WILL RESULT IN ADDITIONAL CHARGES.

Post Permit So That It Is Visible From The Street

LOCATION	OWNER	APPLICANT
12737 COMMONWEALTH R-1B SINGLE RES 53 018 02 0995 000	WYLIE, CHRISTOPHER 12737 COMMONWEALTH SOUTHGATE MI 48195 Phone:	CUSTOM WOOD & VINYL FENCING INC. 12904 SIBLEY RIVERVIEW MI 48193 Phone: (734) 283 2512

Work Description: INSTALL 4' & 6' VINYL FENCE AS PER APPROVED PLAN.

Stipulations:

Permit Item	Work Type	Unit Cost	Fee Basis	Item Total
CONSTRUCTION PERMIT-\$ 0 TO \$10,000	Permits	162.00	8,915.00	162.00
PLAN REVIEW	Plan Review	20.00	0.00	20.00

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

Fee Total: \$182.00
Amount Paid: \$182.00
Balance Due: \$0.00

Payment of permit fee constitutes acceptance of the below terms.

Building Director

I agree this permit is only for the work described, and does not grant permission for additional or related work which required separate permits. I understand that this permit will expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after the work has commenced; and, that I am responsible for assuring all required inspections are requested in conformance with the applicable code. I hereby certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his authorized agent. I agree to conform to all applicable laws of the State of Michigan and the local jurisdiction. All information on the permit application is accurate to the best of my knowledge.

Inspector Notes:

Inspector Approval



City of Southgate – Fence Permit Application

DEPARTMENT OF BUILDING AND SAFETY ENGINEERING

14400 DIX-TOLEDO ROAD, SOUTHGATE, MICHIGAN 48195

PHONE: (734) 258-3030 FAX: (734) 281-6670

www.southgatemi.org

RECEIVED

MAR 05 2021

CITY OF SOUTHGATE
BUILDING DEPARTMENT

COMPLETE ALL AREAS – MUST SUBMIT PAYMENT WITH APPLICATION

A planning/zoning review fee will be charged to all applications at the time they are submitted to the Building Department. Exceptions to the fee: removing/replacing roofing, siding and windows. The planning/zoning review fee does not include your building permit fee. There is a \$24 fee to all cancelled permits.

Plans will not be reviewed until your planning/permit fees have been paid.

Date	3/1/21	Job Address:	12737 COMMONWEALTH
Property Owner Information:			
Name:	CHELSEA WYLIE		
Address:	12737 COMMONWEALTH		
Phone:	734.512-9022	Email:	N/A
Contractor Information:			
Name:	CUSTOMER WOOD & VINYL FENCING		
Address:	12904 SIBLEY, RIVERVIEW MI 48193		
Phone:	734-283-2512	Email:	N/A
Interior Lot or Corner Lot:	CORNER	Cost of Construction:	\$ 8915 -

Type, height, and lineal feet of material to be used:

TYPE:	WOOD	VINYL	ORNAMENTAL/STEEL	METAL	WIRE	MASONRY	OTHER
HEIGHT		4'6"					
# OF FEET		156					

Applicant is responsible for the payment of all fees and charges applicable to this application and must provide the applicant information. I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agents, and we agree to conform to all applicable laws by the State of Michigan.

Section 23a of the state construction code, act 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines. **A permit will be cancelled when no inspections are requested and conducted within six months of the date of issuance or the date of a previous inspection. Cancelled permits will not be refunded or reinstated.**

Applicant Signature

W. Jones

Building Approval

[Signature]

Custom Wood & Vinyl Fencing, Inc.

12904 Sibley Rd. Riverview, MI 48193

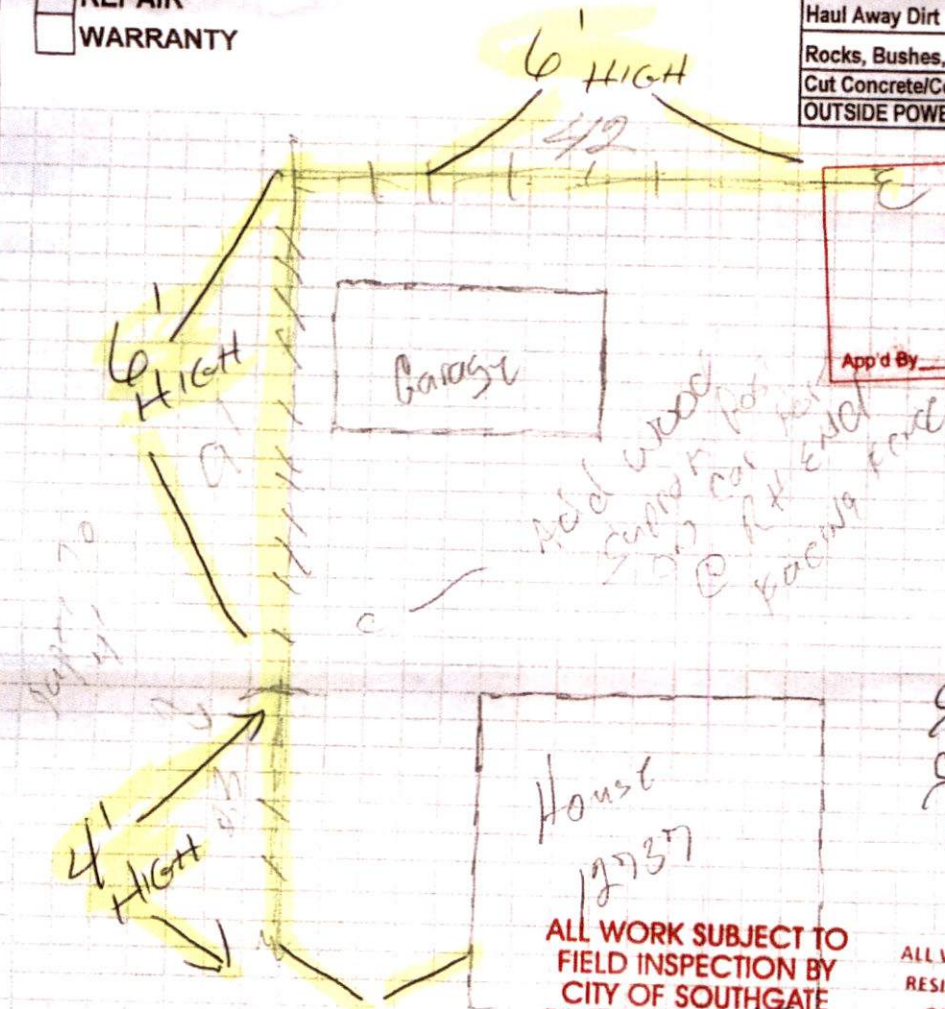
Phone: (734) 283-2512 Fax: (734) 283-0212

DATE: 5/18/20	TIME & DAY: 1:00PM MONDAY
NAME: CHELSEA WYLIE	PRODUCT: VINYL FENCE
ADDRESS: 12737 COMMONWEALTH SG 48195	COLOR/STYLE: WHITE HONEYBLOOM
HOME: 734-512-9022	HEIGHT: 4'-6"
	CAPS: TRIM
	HARDWARE: BLACK
DIRECTIONS: FORT N TO COMMONWEALTH, LEFT	

REFERRED: NEIGHBOR

- ☒ ESTIMATE
☐ REPAIR
☐ WARRANTY

	Yes	No	
Underground Utilities	☒	☐	Installer
Underground Sprinkler	☒	☐	
Tear Out/Haul Away	☒	☐	
Haul Away Dirt	☒	☐	
Rocks, Bushes, etc.	☐	☐	End Date
Cut Concrete/Core Drill	☐	☐	
OUTSIDE POWER?	☒	☐	



City of Southgate
**APPROVED
 PLANS**

App'd By: *[Signature]*

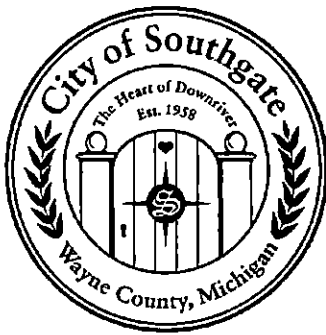
Date: 3-11-2021

ALL WORK SUBJECT TO
 FIELD INSPECTION BY
 CITY OF SOUTHGATE
 BUILDING DEPARTMENT

ALL WORK TO CONFORM WITH MICHIGAN
 RESIDENTIAL CODE AND ALL APPLICABLE
 ORDINANCES AND REGULATIONS OF
 THE CITY OF SOUTHGATE

SHOW FRONT OF HOUSE FACING BOTTOM OF SHEET

[Signature]
 FLO



CITY OF SOUTHGATE

Department of Building and Engineering

14400 Dix-Toledo Rd.
Southgate, MI 48195
734-258-3030

www.southgatemi.org

ZONING Permit: PB21-0159

Property Information

53 018 02 0995 000 12737 COMMONWEALTH Subdivision:
SOUTHGATE MI, 48195 Lot: Block:

Name Information

Owner:	WYLIE, CHRISTOPHER	Phone:	
Occupant:		Phone:	
Applicant:	CUSTOM WOOD & VINYL FENCING INC.	Phone:	(734) 283 2512
Contractor:	CUSTOM WOOD & VINYL FENCING INC.	Phone:	(734) 283 2512
Licensee:	CUSTOM WOOD & VINYL FENCE	Phone:	(734) 283 2512
License Issued:	05/09/2025		
License Expires:	12/31/2025		

Permit Information

Date Issued: 03/12/2021 Date Expires: 09/08/2021 Status: EXPIRED

Work Description:

INSTALL 4' & 6' VINYL FENCE AS PER APPROVED PLAN.

Stipulations:

Final Inspection: TIM LEACH

Status:	Completed	Result:	Disapproved
Scheduled:	10/22/2025 12:24 PM	Completed:	10/22/2025 11:48 AM

Violations:

Uncorrected FENCE

INSPECTOR COMMENTS: INSTALL NOT ACCORDING TO APPROVED PERMIT. FENCE IN FRONT OF GATE A ALONG DRIVEWAY IN FRONT OF HOUSE NOT APPROVED.

Comments:

Scheduling Comment INSTALL 4' & 6' VINYL FENCE AS PER APPROVED PLAN.

Fee Information

Permits	CONSTRUCTION PERMIT-\$ 0 TO \$10,000	8,915.00	162.00
Plan Review	PLAN REVIEW	0.00	20.00



Carlisle | Wortman
ASSOCIATES, INC.

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

Date: November 21, 2025

VARIANCE ANALYSIS FOR THE CITY OF SOUTHGATE

APPLICANT INFORMATION

Applicant: Christopher Wylie
12737 Commonwealth
Southgate, MI 48195

Property Address: 12737 Commonwealth
Southgate, MI 48195

Zoning: R-1B, One-Family Residential

Requested Variance: Increased fence height, applicable to section 1298.14, Fences

VARIANCE REQUEST

The applicant is requesting a one (1) foot variance from section 1298.14, Fences to allow an existing privacy fence along a public alley continue to be four (4) feet in height compared to the ordinance requirement of three (3) feet. Section 1298.14(d)(2) states *“Residential lots or parcels of land adjacent to a **public alley** or commercial property may extend a privacy fence to the front line of such property upon determination by the Building Department that the extension is necessary to protect the residents of the property from noise, traffic, debris or other invasion of property. However, at a distance [within] **fifteen feet from the front property line**, the privacy fence must be **reduced to three feet** in height to accommodate clear corner site distances.”* The existing fence was issued a fence permit in March 2021 for the portion of the fence behind the front edge of existing home. The fence was installed beyond the front of the home, hence the variance request.

Benjamin R. Carlisle, *President* John L. Enos, *Vice President*
Paul Montagno, *Principal* Megan Masson-Minock, *Principal* Laura Kreps, *Principal* Brent Strong, *Principal*
David Scurto, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* Douglas J. Lewan, *Principal*
Richard K. Carlisle, *Past President/Senior Principal* R. Donald Wortman, *Past Principal*

Figure 1 - Aerial View



Source: Nearmap, date of photo: April 2025

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.

Furthermore, 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 as listed by section 1264.06. The proposed home as it relates to these conditions is described below. 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 literal interpretation of the dimensional provisions of this Ordinance would require the applicant to construct the fence at a height of three (3) feet for any portion of the fence that is within fifteen (15) feet of the front property line. The applicant should be prepared to explain how compliance with the ordinance would 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 applicant's property abuts a public alley, which while shared by some, is not shared by a majority of homes within the R-1B District.

c) That the problem is not self-inflicted:

CWA Comment: The problem appears to be self-inflicted, as the fence permit showed the fence location only up to the front line of the house. The fence was subsequently installed beyond the front of the home.

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

CWA Comment: The applicant should prove the requested variance is the minimum necessary to permit reasonable use of the property. Compliance with the current ordinance standards would still allow a fence to be constructed at three (3) feet. Due to the fence having already been built, the applicant would most likely need to remove and replace the portion of the fence that is within the fifteen (15) foot setback.

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

CWA Comment: The requested variance, if granted, may compromise the public health, safety, and welfare of the City, as photos provided in the application show parked cars behind the fence in the driveway. This may present possible sight-line issues for pedestrians using the sidewalk. We are of the opinion that due to the fence abutting a public alley, the increased height could be reasonable to provide additional safety and privacy for the applicant. The fence covering the driveway area should be reduced in height, however, due to the previously mentioned sight-line risks.

RECOMMENDATION

Based on the findings presented above, we recommend denial of the requested variance due to not all five variance criteria being met. The fence has been installed for some time, the situation is self-inflicted, and there are potential sight issues regarding visibility for pedestrians along the sidewalk.

We recommend the Board of Zoning Appeals discuss the considerations provided in this review prior to determining whether approval of this variance is appropriate.



CARLISLE/WORTMAN ASSOC., INC.

John L. Enos, AICP

Vice-President



CARLISLE/WORTMAN ASSOC., INC.

Joe Pezzotti

Community Planner

2026 Board of Zoning Appeals Meeting Dates

Regular Meeting Times – 5:30 PM

January 12th

February 9th

March 9th

April 13th

May 11th

June 8th

July 13th

August 10th

September 14th

October 12th

November 9th

December 14th