

Farmington Observer

Volume 90 Number 25

Thursday, January 11, 1979

Farmington, Michigan

74 Pages

Twenty-Five Cents

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Residents get chance to vote on zoning flap

By MARY GNIEWEK

The Farmington Hills City Council by a 4-3 margin voted Monday to place an advisory question regarding zoning for senior citizen mid-rise housing on the November ballot.

Voters will be asked if they approve of the zoning ordinance passed in 1977. It permits the city council to rezone land for elderly housing, up to 60 feet, if the land is not located in predominantly single family residential areas. The building would also have to be in close proximity to expressways and convenient to shopping facilities.

VOTING FOR THE advisory referendum were Mayor Earl Oppenheimer, Mayor Protem R. Keith Deacon and council members JoAnn Soronen and Joe Alkateeb.

Council opponents JoAnn Smith, Cathy Jones and Jan Dolan believe one reason the question will be put on the November ballot is to appease the Farmington Hills Council of Homeowners.

That group launched a recall campaign last year against Smith, Jones and Dolan because they supported federal revenue funds for low income housing and special zoning for senior citizen housing.

The homeowners do not support the senior citizen bonding issue that will go before voters next month. A low income housing program was ditched by a majority of council early last year.

"This ordinance was debated in 1977. No one asked it be put on the ballot then," said Mrs. Smith.

"To use the excuse of recall is obscene. So what if the Homeowners Council doesn't support the issue? If the homeowners won't support bonding, they won't vote for the ordinance, either. Government by referendum is wrong."

THE COUNCILWOMEN feel the issue will be clouded with false advertising that may kill the senior citizen housing issue in Farmington Hills. They also believe that as the only ordinance questioned by referendum, it will set a bad precedent in the city.

Hills resident Aldo Vagnozzi also expressed a desire to kill the referendum. "You can't ask for advice and not

'Placing the issue on the ballot should have a positive effect on bonding, which the homeowners groups hasn't supported yet. I believe if the facts are known, people will support it.'

—Earl Oppenheimer, Farmington Hills Mayor

take it," he warned. "I'd rather see us wait until after the bond issue because the two issues will be confused. There is plenty of time before November to make a decision on this."

CITY COUNCIL VOTED last month to proceed with a bond election in late February in which voters will be asked to approve the sale of \$7 million in municipal finance bonds to fund senior public housing.

The council now is seeking government rent subsidy for a proposed five-story, 140-unit building designed to meet the needs of the city's more than 5,000 senior citizen residents.

"The people have asked for a referendum vote two times. We are not afraid of the voice of the people," said Alkateeb.

"The ballot box is the very essence of American democracy. And as a person who has been reborn into this system of government, it troubles me to see that the very persons who arrived at this desk through a people's verdict object to it being used to solicit an equally important verdict."

Oppenheimer told the opponents not to take a defeatist attitude about passage of the referendum. But he added that if 60 per cent of the voters oppose the ordinance, he will withdraw his support of senior citizen mid-rise housing.

"An advisory referendum is a way to obtain support," Oppenheimer argued. "Placing the issue on the ballot should have a positive effect on bonding, which the homeowners groups hasn't supported yet. I believe if the facts are known, people will support it."



I just don't believe it

That seems to be the reaction of Farmington's Alp Order (right) as he struggles for another few points for the Falcons. But he's blocked by Canton's Dan McGlinn. The Falcons recorded their seventh defeat

against two victories, losing 91-46. To read more about the defeat turn to the sports section. (Staff photo by Harry Mauthe)

Long sought career brings Hills attorney happiness

By MARY GNIEWEK

Turning 40 isn't a cause for celebration for most women, but Farmington Hills attorney Gisela McCabe considers that birthday the best one of her life—it was the day she received notice that she passed her bar exam.

For Mrs. McCabe, a German immigrant who took time out to raise a family before pursuing a career in law, it was the fulfillment of a lifelong dream. WHEN DAVID MCCABE proposed to Gisela Kabitz on a whirlwind tour of Europe, she asked him if she could get a law degree first. But the prospect of four years of law school was too much for her American suitor, so the couple got married right away.

Two children and 17 years later, Mrs. McCabe joined the profession that her father and grandfather practiced before her. That was in 1971. Today, she is a full partner in the Fugh, McCabe and Fugh firm in Farmington Hills.

"I'm doing a little bit of everything, but specifically civil litigation and domestic cases," she explained.

With her busy schedule, she spends a lot of time in district court. Much time also is spent counseling clients, especially in divorce cases if Mrs. McCabe thinks a marriage can be saved.

"I TAKE MORE time than I should, but people suffering from emotional distress don't think their situation out. If they have unrealistic expectations, I make them realize what lies ahead. It's very hard for women to get alimony today, even if they've been married 20 or 30 years."

Mrs. McCabe believes family counseling and dealing with the elderly are two areas of law where women attorneys are needed.

"Women can deal with that sort of thing. We need more women judges,

too. Their point of view is important.

"Law is still a field dominated by men. With the surplus of attorneys today, it is very difficult for women to get hired beyond the token stage. Where a man and woman are equally qualified for the same job, chances are the firm will hire the man because they feel more comfortable with him."

"I'm sure there is some discrimination, but I'm not sensitive to it. I guess that's an advantage."

MRS. MCCABE WAS born in East Prussia, but her family fled to west Germany in 1944. She was 14-years-old when the Second World War ended.

"We were raised and trained under Hitler's regime. The Americans had difficulty showing us how democracy worked. They felt the only way to recruit German youth was to bring a select group to the United States as exchange students."

On a scholarship provided through the Institute of International Education, Mrs. McCabe studied at Western College for Women in Ohio. After the year-long program expired, she returned on another scholarship and was awarded a bachelor's degree with a major in political science.

"I met my husband on a student ship on the trip back home. We met in September, were engaged in October and married in November."

"I'm old-fashioned. My husband and children come first before my career. My husband was very supportive when I went back to school. The first year was the hardest because I had been out of school for ten years. Once I established a routine, it became much easier."

Her husband, a funeral director, operates the McCabe Funeral Home in (Continued on page 2A)

City gives approval for office

By MARY GNIEWEK

The Farmington Hills City Council Monday night paved the way for construction of an office building on the northwest corner of Eleven Mile and Orchard Lake Rd. over protests from residents in the abutting Pasadena Park subdivision.

Council voted 6 to 1 for the consent judgement that will give the city control in parking and building requirements. Councilman Joe Alkateeb cast the only "no" vote on the grounds that the property was zoned for single family dwellings.

The majority of council, on the advice of city attorney Paul Bibeau, reasoned that a higher court could rezone the property owned by local businessman Ben Marks for office use. The city would then lose control over the building.

UNDER TERMS OF the consent judgement, the building is restricted to 30 feet in height and 50,000 square feet in size. A landscaping plan approved by the Villan-Leman firm of Southfield calls for a 40-foot greenbelt to obscure the north, east and west sides of the property. Berms five feet in height will be constructed.

Marks first approached council about rezoning the property in September, 1977. Council denied the request and Marks filed suit in Oakland County Circuit Court. Attorneys for the city and Marks told Circuit Court Judge Richard D. Kuhn last November that a compromise was being negotiated. The consent judgement will be enforced by the court.

Emory Jocks, attorney for the Pasadena Park Homeowners Association, voiced six objections to the plan. He said:

- It is an example of spot zoning at its worst.

- The zoning change was denied once by council and the planning commission.

- The city's master plan shows the area residential.

- The land can be marketed residential.

- The rezoning will bring a flurry of lawsuits from others who have been denied zoning changes.

- The rezoning will bring a reduction in surrounding residential property values, as high as 12 percent.

"**THE CITY IS** selling these property owners short. The homeowners want to protect the zoning ordinance, but were denied intervention in court," Jocks asserted.

Other residents expressed fear that an office building at that intersection would spur commercial growth north along Orchard Lake Rd. to Twelve Mile. Some said an office building would destroy the natural beauty of the area.

Petitions signed by 20 percent of the Pasadena Park residents opposing the zoning change were presented to City Manager Floyd Cairns Monday.

MAYOR EARL OPPENHEIMER told the angry homeowners that the city lost a similar zoning case just a few weeks ago.

"We must confront ourselves with the fact that the court may rezone this property, with or without our consent. Then we would have no control over the berms and other special effects," he said.

Bibeau said the city would have a difficult time defending single family zoning of the property. City Hall is located on the southwest corner of the intersection and Marks owns Civic Center Office Plaza on the southeast corner.

"Never would a developer build single family homes there," said Councilwoman JoAnn Smith. "With the consent judgement, council will see that this land is developed the best way it can."

Added Councilwoman JoAnn Soronen "I can't justify spending taxpayers money to defend a case our attorney says cannot be won. The corner is going to be used either now or later. No case can be made for single family homes."

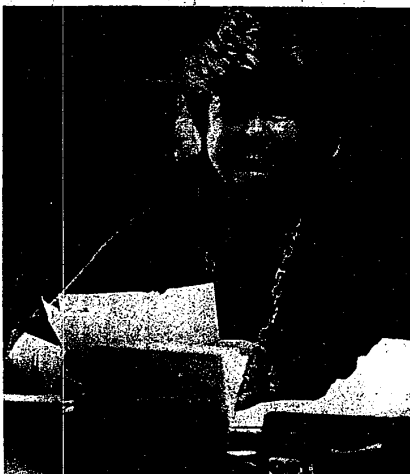
Marks said the building revision plan took three months to complete.

"The preliminary plans will take some time, but I hope we can break ground this year," he said.

Radio beckons Spangenberg

Jim Spangenberg, of Farmington has been named to the executive staff of a student radio station at Central Michigan University for the winter semester. He will be the sales manager for station WCHP.

The station operates 24 hours a day on carrier current.



Gisela McCabe, with a smile on her face, realizes that life can begin at 40. That's when she received her law degree. (Staff photo by Harry Mauthe)

Ensure winter auto start ups

Following these cold weather tips for your car can help let you whiz through winter and save money at the same time.

- Check your antifreeze. Use all new antifreeze if your cooling system hasn't been changed in two years.

- Install a new air cleaner.
- Check belts and hoses, replacing any that are brittle or cracked.

- Change your transmission fluid if it is very dark or thick.

- Rotate tires, check air pressure and replace any bald or badly worn tires.

- Lubricate the suspension points on your car's chassis, especially the front end.

- Replace brake shoes and pads if badly worn. Turn drums if they're scored. Check fluid in the master cylinder.

- Change your oil filter. Check your owners' manual for the grade of oil recommended for your car.

- Wax or completely rustproof your car.

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