

**MINUTES
CITY OF FARMINGTON HILLS
ZONING BOARD OF APPEALS
FARMINGTON HILLS CITY HALL
MAY 13 2025 – 7:30 PM**

1. CALL MEETING TO ORDER

Chair Irvin called the meeting to order at 7:37pm and made standard introductory remarks explaining the role of the ZBA and the formal procedures of the meeting.

2. ROLL CALL

Members Present: Irvin, Jamil, Khan, Lindquist, O’Connell, Rich, Vergun

Members Absent: None

Others Present: Zoning Representative Grenanco, City Attorney Morita, Recording Secretary McGuire

3. APPROVAL OF AGENDA

**MOTION by Jamil, support by O’Connell, to approve the agenda as submitted.
Motion carried unanimously by voice vote.**

4. NEW BUSINESS:

A. ZBA CASE: 5-25-5753

LOCATION: 28975 Grand River

PARCEL I.D.: 23-36-306-011

ZONE: B-3

REQUEST: In order to allow a freestanding sign which is twenty-one (21) feet high and one hundred and eight (108) square feet in area, the following two (2) special exceptions are requested:

1. A thirteen-foot (13) height special exception where eight (8) feet is the maximum height permitted.
2. A forty-four (44) square foot special exception where sixty-four (64) square feet is the maximum permitted.

CODE SECTION: Section 34.5.5.3.A.iv

APPLICANT: Khaled Dagher, Dagher Signs & Graphics

OWNER: Rawad Haddad

Facts of the Case

Zoning Representative Grenanco presented the facts of the case. The proposed sign is located on the south side of Grand River between Middlebelt and Inkster Roads. The property currently has a non-conforming sign. Once the existing sign is replaced, it loses its non-conforming status, providing an opportunity for the city to bring the sign into greater compliance with current regulations.

The applicant requires both a height exception and a square footage exception for what would normally be allowed under the ordinance. Staff recommends that if the Board is inclined to grant

the request, the lower electronic sign should have a maximum height of 8 feet, which would be the normal allowable height, to minimize light pollution. The sign is not in character with the neighborhood and bringing the non-conforming sign into closer conformity would be beneficial.

Applicant Presentation

Khaled Dagher, Dagher Signs & Graphics, 22476 Telegraph Road, Southfield, was present on behalf of this variance request. Owner Rawad Haddad, Northville, was also present.

Mr. Dagher explained that the property has a unique setting, positioned at a 45-degree angle to Grand River, which creates a hardship for sign visibility. He noted that the neighboring property to the north has its sign approximately 30 feet from Grand River with the building itself 16 feet from the road, while their proposed sign would be 44 feet away, causing any conforming sign to be blocked from view. It is important for the sign to be visible, in order to allow people to notice the business and merge into the correct lane to enter the property. Additionally, neighboring properties to the north have plantings and trees that block the bottom portion of their sign. If restricted to the 8-foot maximum height, the sign might be completely covered by these trees.

Mr. Dagher emphasized that their proposal represents an improvement over the existing sign, slightly reducing the overall size while replacing a poor-quality existing sign with a new modern sign.

Board Questions

In response to questions from board members, the following information was provided:

- The engineering department had evaluated the proposal and found no traffic safety issues.
- The LED sign would display holiday messages such as Thanksgiving, Christmas, and Fourth of July greetings. The car dealership does not have daily promotional deals like grocery stores. During non-holiday periods, the sign would display car pictures and generic messages such as "financing available" and "warranty available."
- Mr. Haddad clarified that he owns the entity known as "89250 8 Mile Road" (listed as owner in BS&A).
- Mr. Haddad confirmed that he had moved his entire vehicle inventory from his previous Quattro Motors location and would no longer be using that facility.
- Member Vergun inquired about staff's recommendation to limit the lower LED sign to 8 feet in height, noting it was currently proposed at over 12 feet. Zoning Representative Grenanco explained that the LED component could be lowered without requiring revised plans or a new notice, as this would be requesting a lesser variance than noticed.
- Mr. Haddad explained they had received a temporary certificate of occupancy to operate during winter months, with a deadline of June 15, 2025, to complete exterior work including landscaping, parking lot striping, and lighting before obtaining the permanent certificate.
- When questioned about the need for such a large sign given that car dealerships are typically destination businesses, Mr. Haddad explained that Grand River is a fast-moving road where businesses can easily be missed without clear signage. The building is partially blocked by landscaping on neighboring properties, particularly for eastbound traffic. If drivers miss the entrance, they must travel a considerable distance before making a U-turn, and then another U-turn, to drive into the business.

- Member Lindquist noted the presence of multiple used car dealerships in the area between Grand River and Eight Mile Road, making signs important for each business' identification and to distinguish each business from competitors.
- When asked about alternatives if the variance were denied, Mr. Haddad stated he hoped for approval, emphasizing the modern design of the sign and the financial investment being made to improve the property's appearance. He noted his 13-14 year history operating in Farmington Hills and his commitment to maintaining his properties. He had not developed alternative plans and would need to explore options if the request were denied.
- Regarding the operation of the LED sign, Mr. Dagher confirmed it would display only static images, not moving videos, in compliance with regulations designed to prevent driver distraction. The new LED technology includes automatic photocells that reduce brightness at night to minimize light pollution and energy consumption, with software capable of regulating screen brightness.
- The applicants presented a photograph showing the existing sign location with overlay graphics indicating where an 8-foot height restriction would position the sign relative to existing vegetation, demonstrating potential visibility issues.
- The applicant confirmed they would use the existing support posts, with any approved signage being reviewed by their structural engineer to ensure viability.
- Member Lindquist inquired about the legal status of the previous sign. Zoning Representative Grenanco confirmed it was a non-conforming sign that had been grandfathered due to its age.

Public Comment

Chair Irvin opened the floor for public comment. No members of the public indicated they wished to speak.

Member Rich confirmed the affidavit of mailing was on file with one undeliverable notice.

Board Discussion and Action

Member O'Connell acknowledged an earlier observation that the applicant could have simply renovated the existing non-conforming sign rather than pursuing a replacement. He felt this should be taken into consideration as the applicant was choosing a more conforming and aesthetically improved alternative rather than simply updating the existing non-conforming sign.

Member Rich expressed mixed views on the proposal. While agreeing that the new Quattro Motors sign was more attractive than the existing sign, he questioned the benefit of the LED sign, which would display generic messages and intermittent car images that may not reflect current inventory. He suggested considering a less non-conforming alternative, such as reducing the height of the existing poles and eliminating the LED component, which would allow the main sign to be positioned lower while maintaining visibility and the desired upscale appearance.

Member O'Connell asked staff whether the board could approve a lesser variance than requested. City Attorney Morita reiterated that a lesser exception would not require re-advertisement, and the board could approve anything less than what was specifically requested.

MOTION by Jamil, support by Lindquist, in the matter of ZBA Case 5-25-5753, that the petitioner's request for a special exception be granted because the petitioner did demonstrate that the requirements for a special exception existed in this case in that he set forth facts which show that:

- 1. There are circumstances or features that are exceptional or unique to the subject property and that are not self-created.**
- 2. That failure to grant relief would result in substantially more than mere inconvenience or financial expenditures and that the application of the regulations in Section 34-5.5.3A.1, 34-5.5.3.A.iv.(3) without a special exception would unreasonably prevent or limit the use of the property or would reasonably preclude the visibility or identification of a non-residential building on the property.**
- 3. That the special exception will not result in a sign or condition that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter; and**
- 4. When taken on its own or in a combination with other existing conditions on property or in the area, the special exception will not result in a sign or condition that has an adverse effect on the essential character or aesthetics of the establishment or surrounding area, is detrimental to or negatively affects the character of surrounding residential development, or compromises the public health, safety, or welfare.**

With the following condition:

- That the sign be substantially identical to the design that has been represented in the packet and in the submission.**

Roll call vote:

Ayes – O'Connell, Khan, Lindquist, Jamil, Irvin

Nays – Rich, Vergun

Motion passed 5-2.

B. ZBA CASE: 5-25-5754

Location: 30017 Harrow

Parcel I.D.: 23-05-401-025

ZONE: RA-1

REQUEST: In order to construct an attached deck within the side and rear yards, the following variances are requested:

- 1. An eight-and-a-half (8.5) foot variance to permit a deck to have a one-and-a-half (1.5) foot south side yard setback where a ten (10) foot setback is required.**
- 2. A one (1) foot variance to permit a deck to have a fourteen (14) foot rear yard setback where a fifteen (15) foot setback is required.**

CODE SECTION: 34-3.1.4.E, 34-3.26.6.A

APPLICANT/OWNER: Deborah M. Harris

Facts of the Case

Zoning Representative Grenanco presented the facts of the case. The property is located on Harrow Drive, just north of 13 Mile Road between Drake and Halsted Roads. The applicant is appearing before the Board because she needs to rebuild an existing deck. When submitting building plans for the deck reconstruction, the need for the following setback variances were discovered: a 1.5-foot side yard setback where 10 feet is required, and a 1-foot rear yard variance where 15 feet is required.

Applicant Presentation

Deborah Harris, 30017 Harrow Drive, was present on behalf of this application for variances. Victor McCarty, 5980 Ford Road, Commerce Township, was also present as the contractor for the project.

Ms. Harris explained that her current deck was rotting and required replacement. When she requested a permit to repair the rotted wooden components, she learned through her contractor that the existing deck was not in compliance with current building codes because of the way it is connected to the house, and current code requires decks to be freestanding.

Mr. McCarty explained that the deck structure on the south side would match identically to the existing configuration, as there is no other practical way to provide access to the side yard. The north side of the deck, where the homeowner exits through the door wall, was previously about four feet wide and would be extended to 10 feet to provide additional deck space; this would not create any setback violations. The existing octagonal section would be replaced with a similar structure that essentially matches the current footprint.

Mr. McCarty emphasized that the replacement was necessitated by changed building codes, noting that the deck was attached to the home when originally built, but new code requirements mandate freestanding construction.

Board Questions

In response to questions from board members, the following information was provided:

- **Conforming Status:** Member O'Connell inquired whether the current deck was non-conforming. Zoning Representative Grenanco clarified that it was not non-conforming when built, but building code standards have changed since construction, making the attached design no longer compliant.
- **Proximity to Property Lines:** Member O'Connell noted that the current stairway appears to be closer than 10 feet to the neighboring property. Mr. McCarty confirmed this observation and stated that the proposed replacement would be identical in positioning to the current structure.
- **Property History:** Ms. Harris said that she is the third owner of the property and that the deck was already in place when she purchased the home in 2003. Zoning Representative Grenanco confirmed that no variances were required at the time of the original construction.
- **Landscaping and Screening:** Member Khan inquired about existing landscaping and potential barriers between neighboring properties. Ms. Harris stated she had no plans to change the current landscaping. Mr. McCarty described the unique layout, explaining that access to the rear deck requires using a driveway positioned right on the property line, followed by a four-foot catwalk to reach the rear deck area and stairs leading to a paver patio below.

- **Design Alternatives:** Mr. McCarty explained that multiple attempts had been made to alter the design to avoid side yard encroachment, but the property's unique characteristics made alternative configurations impractical.
- **Deck Extension Details:** In response to questions from Member Rich, Mr. McCarty explained that the south side catwalk, platform, and staircase configuration would remain the same as currently exists, and would require a variance. The extension of the upper deck would not require a variance.
- **Property Line Configuration:** Member O'Connell inquired about the driveway's proximity to the property line. Mr. McCarty confirmed that the survey indicated the driveway was positioned on the property line. Ms. Harris added that the survey revealed she actually had a few additional inches of space available.
- **Alternative Access Options:** Member O'Connell questioned whether alternative configurations might be possible, such as building toward the existing house and creating stairway access in a different direction. Mr. McCarty explained that such changes would eliminate the homeowner's current access to her backyard patio, as the existing configuration provides the only practical pathway from the driveway to the rear yard areas.

Public Comment

Chair Irvin opened the floor for public comment. No members of the public indicated they wished to speak.

Member Rich confirmed that an affidavit of mailing was on file with no undeliverable notices, and no written correspondence had been received.

Board Discussion and Motion

Member Lindquist stated that the case represented an excellent example of unique property circumstances. The contractor had clearly expressed the practical impossibility of creating a usable space through any configuration other than replicating and slightly adjusting the existing deck layout. Based on these unique circumstances, he supported providing relief to the homeowner.

MOTION by Rich, support by O'Connell, that the petitioner's request for a variance in order to construct an attached deck within the side and rear yards, the following variances be granted:

1. **An eight-and-a-half (8.5) foot variance to permit a deck to have a one-and-a-half (1.5) foot south side yard setback where a ten (10) foot setback is required.**
2. **A one (1) foot variance to permit a deck to have a fourteen (14) foot rear yard setback where a fifteen (15) foot setback is required.**

Because the petitioner did demonstrate practical difficulties exist in this case and that she set forth facts which do show that:

1. **Compliance with the strict letter of the ordinance would render conformity unnecessarily burdensome.**
2. **That granting the variance requested would do substantial justice to the petitioner as well as to other property owners in the district. The Board does not have any correspondence from the neighbor, who, if there was an objection, would certainly have made one. The**

- deck is similar as to how far back into the property it goes. In this case, perhaps the easement bends a little bit more so that the neighbor's patio doesn't encroach upon it.
3. That the petitioner's plight is due to the unique circumstances of the property as identified in this meeting.
 4. That the problem is not self-created.

With the following condition:

The deck be constructed as described by the contractor, with beige TREX materials, with a brown border and black railing.

Motion passed unanimously by voice vote.

C. ZBA CASE: 5-25-5755

LOCATION: 38000 Hills Tech Drive

PARCEL I.D.: 23-18-100-021

ZONE: IRO

REQUEST: In order to construct a new dumpster enclosure, not screened from view on all sides, a variance from Section 34-5.1.3.D.ii of the Zoning Ordinance to permit dumpsters to not be screened on all sides and not include access gates that provide screening.

CODE SECTION: 34-5.1.3.D.ii

APPLICANT: Todd Drouillard, HED

OWNER: Robert Bosch LLC

Facts of the Case

Zoning Representative Grenanco presented the facts of the case. The property is part of the Bosch facility located on the north side of Hills Tech Drive, west of Halsted Road between 11 and 12 Mile Roads.

The applicant is proposing a dumpster enclosure that would shield waste receptacles from only three sides without gates. The proposal involves combining several existing dumpster enclosures and recycling bins into one consolidated location with screening on three sides to eliminate current placement in parking areas. This consolidation would reduce traffic incidents and provide easier access for waste management operations. However, the proposed enclosure would not include gates on one side, which is required by the ordinance.

Applicant Presentation

Mark Hieber, Landscape Architect with HED, 123 West 5th Street, Royal Oak, and Jeff Smigielski, Facilities Manager for Bosch at 38000 Hills Tech Drive, appeared on behalf of the application.

The applicants explained that the proposed pad location is surrounded by existing buildings of one, two, and three stories, preventing visual access from public streets such as Hills Tech Drive or adjacent neighboring properties. The existing waste receptacles have been positioned on pavement in open areas between buildings without screening for four to five years.

The applicants described several benefits of the proposed consolidation:

- The new pad would consolidate current waste receptacle locations to one central area for easier access, loading, unloading, and reduced visual impact throughout the campus.
- The relocation would improve vehicular access and movement throughout the site by eliminating the need for vehicles to maneuver around freestanding receptacles positioned along access roads.
- The consolidation would address current traffic safety concerns created by scattered receptacle placement.
- Staff access to both front and sides of waste receptacles would facilitate easier loading, unloading, and disposal of waste and recyclable materials

The applicants said that four different types of dumpsters would be consolidated at the location:

1. Waste to energy (wood pallets)
2. Composting materials
3. Plastics
4. Mixed metals and plastics

All materials originate from R&D facilities and are transported by staff using gondolas for hand-loading into the receptacles.

The proposed solution includes a masonry screen wall along three sides at 12 feet in height. Due to the enclosure's size and the operational requirements for loading and unloading capabilities for trucks, installing fence doors or sliding gates along the exposed access side is not feasible.

The applicants emphasized the remote location of the receptacles within the campus, noting that the closest secured fence is 500 feet away and the property line is 1,000 feet away, making the screening variance appropriate for the site conditions.

Board Questions

In response to questions from board members, the following information was provided:

- **Alternative Screening Options:** Member Rich inquired about alternatives to the proposed design, such as separate doors for individual dumpsters or sliding doors instead of swinging gates that might obstruct traffic flow. The applicants explained that truck access requires unencumbered backing space to each dumpster, while staff loading operations require side access between dumpsters using gondolas. Any posts between dumpsters would prevent gondola access for personnel while still maintaining truck accessibility. Additionally, semi-tractor trailer movement in an adjacent area requires significant radius clearance that influences the positioning.
- **Site Visibility:** Member Rich noted that he was unable to view the site during his visit due to security restrictions, but he could confirm that the location is not visible to the public from the street.
- **Waste Material Types:** Member Khan inquired about the nature of waste materials and potential biohazard concerns. The applicants confirmed that all materials are non-hazardous and represent the facility's effort to achieve zero landfill status. All waste is either recycled, composted, or sent to incinerators, with no biohazardous materials involved in this particular waste stream.

- **Site Isolation:** The applicants reiterated that the location is highly isolated, positioned 500 feet from the secure fence line, 1,000 feet from the western property line, 500 feet from the eastern boundary which features a deep wooded ravine with no trails, and surrounded by buildings and berms on the north side.

Public Comment

Chair Irvin opened the floor for public comment. No members of the public indicated they wished to speak.

Member Rich confirmed that a certificate of mailing was on file with one undeliverable notice, and no written correspondence had been received.

Board Discussion and/or Motion

MOTION by O'Connell, support by Khan, that the petitioner's request for a variance from Section 34-5.1.3.D.ii of the Zoning Ordinance in order to construct a new dumpster enclosure, not screened on all sides and not including access gates that provide screening, be granted, because the petitioner did demonstrate practical difficulties exist in this case, in that he set forth facts which show that:

- 1. Compliance with a strict level of ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose or would render conformity with the ordinance unnecessarily burdensome.**
- 2. That granting the variance request would do substantial justice to the petitioner as well as other property owners.**
- 3. That the petitioner's plight is due to the unique circumstances of the property.**
- 4. That the problem is not self-created.**

With the following condition:

- **The dumpster enclosure be constructed as shown on the submitted plans.**

Motion passed unanimously by voice vote.

5. PUBLIC QUESTIONS AND COMMENTS:

None.

6. APPROVAL OF MINUTES April 8, 2025

**MOTION by Rich, support by Jamil, to approve the April 8, 2025 meeting minutes as submitted.
Motion passed unanimously by voice vote.**

7. ADJOURNMENT

**MOTION by Rich, support by Vergun, to adjourn the meeting.
Motion approved unanimously by voice vote.**

The meeting adjourned at 8:43 p.m.

Respectfully submitted,
Brian Rich, Secretary

/cem