

**MINUTES  
CITY OF FARMINGTON HILLS  
ZONING BOARD OF APPEALS  
FARMINGTON HILLS CITY HALL  
APRIL 8, 2025 – 7:30 PM**

**1. CALL MEETING TO ORDER**

Chair O’Connell called the meeting to order at 7:31pm 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 Supervisor Randt, City Attorney Morita, Recording Secretary McGuire

**3. APPROVAL OF AGENDA**

**MOTION by Irvin, support by Vergun, to approve the agenda as submitted.**

**Motion carried unanimously by voice vote.**

**4. NEW BUSINESS:**

**A. ZBA CASE: 4-25-5751**

**LOCATION:** 35917 Twelve Mile Rd.

**PARCEL I.D.:** 23-17-201-015

**ZONE:** OS-4

**REQUEST:** A variance from the requirement that an accessory structure (mechanical enclosure) shall not be erected in any front yard setback to locate the structure in the front yard.

**CODE SECTION:** 34-5.1.1.B

**APPLICANT:** Matthew Johnston on behalf of Perimo USA Corporation

**OWNER:** Perimo USA Corporation

**Facts of the Case**

Zoning Supervisor Randt presented the facts of the case: The property in question is located on Twelve Mile Road between Halsted and Drake Roads. An aerial image and several renderings and construction drawings were provided to show the proposed location of the mechanical enclosure, which per ordinance definition, is in the front yard.

**Applicant presentation**

Eric Lord, Atwell, 2 Town Square, Southfield, explained that the applicant is requesting a variance to place an enclosure for mechanical condensers in an area technically defined as the front yard. In this case, the building is over 500 feet from 12 Mile Road and not visible from that road. The parcel is uniquely shaped in that it is narrow as it comes in off 12 Mile Road/northern portion of the site and widens to the south. All the buildings are very far into the southern portion of the site. The owner has also done everything possible to preserve trees on the property, and this has impacted the layout on the site.

### **Board questions**

In response to questions from the Board, Mr. Lord gave the following further information:

- Any future development on the adjacent parcel will not affect the front yard of the subject parcel – it will always be the front yard.
- The enclosure will be approximately six feet high and 24 feet wide and will enclose all the condenser units for the building.
- Propane tanks referenced in the plans will be underground and are not the primary energy source; the building uses electric power.
- As shown in the renderings, the enclosure will mirror the aesthetics of the main building.
- The proposed enclosure will be about 12 feet from the main building, with all utility connections located underground.

### **Public comment**

No public indicated they wished to speak.

The affidavit of mailing was confirmed. There were no undeliverable notices, and no written correspondence received.

### **Board discussion and motion**

Member Lindquist asked whether the front yard definition is affected by the fact that there are multiple parcels in between this site and 12 Mile Road. Zoning Supervisor Randt explained that the front yard is measured in relation to the main building on the subject parcel.

In response to comments Mr. Lord said that initially the project team believed the enclosure did not fall within the defined front yard because the nearest corner of the principal building to 12 Mile Road appeared to establish the setback line. However, based on the City's interpretation of the ordinance, the front yard is established by a line drawn parallel to the building's façade. Given the angle of the building's front, this line encompasses the proposed enclosure site, placing it technically within the front yard.

In response to questions, Mr. Lord clarified that Perimo USA Corporation does not own the adjacent parcel, which is part of the larger corporate park governed by a Planned Unit Development (PUD), and although it may be developed in the future, there are no known immediate plans. If the corporate parkway were to be extended along the curve of the property, both the main structure and the proposed mechanical enclosure would remain within what is currently defined as the front yard.

Member Lindquist inquired whether the mechanical structure could be relocated to the southern side of the building. Mr. Lord explained that this area presented several challenges:

- It contains a natural drainage swale and is adjacent to wetlands.
- The terrain slopes downward, making construction more difficult.
- The area has a significant concentration of mature trees that the applicant is actively trying to preserve.

The proposed location minimizes environmental and visual impact.

As there was no further discussion, Chair O'Connell indicated he was ready to entertain a motion.

**MOTION by Rich, support by Irvin, in the matter of ZBA Case 4-25-5751, that the petitioner's request for a variance from the requirement that an accessory structure (mechanical enclosure) shall not be erected in any front yard setback in order to locate the structure in the front yard, 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 the strict letter of the ordinance would be unnecessarily burdensome.**
- 2. Granting the variance requested will do substantial justice to the petitioner as well as to other property owners in the district.**
- 3. The petitioner's plight is due to the unique circumstances of the property, specifically the attempt to preserve the trees, and the fact that the other buildings are located almost as far south as they can be, and so everything is technically in the front yard, and**
- 4. The problem is not self-created. The mechanical equipment to power the facility is something that would be needed for any facility that is built.**

**With the following conditions:**

- a. The structure must conform to information in the packet.**
- b. Location of the structure must be placed as indicated on the plans in the packet.**

**Motion passed unanimously by voice vote.**

**B. ZBA CASE: 4-25-5752**

**Location:** 31024 Glenmuer

**Parcel I.D.:** 23-03-126-008

**ZONE:** RA-1A

**REQUEST:** A 573.5 square foot variance to permit the construction of a 960-square foot detached accessory structure in addition to the existing 567 square feet of accessory structure floor area, and where the maximum amount of accessory structure floor area permitted is 953.5 square feet.

**CODE SECTION:** 34-5.1.2.D

**APPLICANT/OWNER:** Matthew Adams

**Facts of the case**

Zoning Supervisor Randt presented the facts of the case: The subject property is located on Glenmuer, south of 14 Mile Road, between Orchard Lake and Farmington Roads. Location maps and architectural elevations for the proposed accessory structure were provided, as well as the site plan and floor plan, along with north and south elevations and framing details.

**Applicant presentation**

Applicant Matthew Adams, 31024 Glenmuer, said there were two main practical difficulties relative to this variance request:

- The property is 1.7 acres in size, requiring more maintenance equipment than a typical residential lot.
- The house is built on a crawl space foundation, limiting indoor storage space. As a result, household storage is currently occupying the attached garage.

Mr. Adams addressed the four criteria for determining practical difficulty:

1. Strict ordinance compliance is burdensome: The crawl space foundation and large lot size create a need for expanded storage space, which is currently unavailable.
2. Substantial justice: The variance would allow vehicles and equipment to be stored indoors, reducing visual clutter and preventing damage from weather, falling tree debris, or animal intrusion. He noted that a chipmunk had caused vehicle damage in the past.
3. Unique property conditions: The lack of a basement and the scale of the lot are unique, non-self-created circumstances.
4. Not self-created: The foundation was chosen by a prior owner. Equipment needs stem directly from the size of the lot.

Mr. Adams also pointed out that in six of seven neighboring municipalities, such a structure would be permitted outright due to different regulations that allow more accessory square footage on large lots and/or do not subtract attached garage space from the total square footage allowed.

#### **Board questions**

In response to questions, Mr. Adams gave the following further information:

- This would be the first and only detached accessory structure on the property. The current attached garage is counted against the accessory square footage limit but is not a separate structure.
- The proposed structure would include electricity and heating, but no plumbing or living quarters. The temperature control is intended for the safe storage of temperature-sensitive materials like paint and chemicals.
- In response to a question asking why a smaller structure could not be utilized, Mr. Adams said that 960 square feet is the minimum necessary to accommodate his equipment.

In response to a question regarding square footage calculations, Zoning Supervisor Randt explained that the existing attached garage is approximately 450 square feet and, under the ordinance, counts toward the accessory floor area limit.

Mr. Adams confirmed that current storage needs have forced his vehicles into the driveway, and there is also a trailer in the side yard, adjacent to a neighbor's property.

#### **Public Comment**

Bill Davidson, 30974 Glenmuer, spoke in support of the request. He stated that the proposed structure would be fully visible from several vantage points on his property, including most windows on the side of his house. Despite this visibility, he expressed full support for the project, citing the size of the applicant's lot, limited storage options, and the proportionate scale of the proposed structure.

The affidavit of mailing was confirmed. There were no undeliverable notices, and no written correspondence received.

### **Board Discussion**

Board members inquired about the materials and design of the proposed accessory structure. Mr. Adams stated that the new structure would be finished in white stucco. While the primary residence is currently painted gray cinder block, the goal is eventually to match both structures for a consistent appearance. A loft will be included in the design, accessible via a pull-down ladder, and is intended for infrequently used storage such as seasonal decorations.

Member Lindquist asked whether the building would be used for any business activity or commercial storage. The applicant confirmed it would not be used for such activities.

In response to comments, Mr. Adams said the double-door barn-style entrance was designed to allow easy movement of larger equipment in and out of the building.

As the discussion had ended, Chair O'Connell indicated he was ready for a motion.

**MOTION by Kahn, support by Jamil, in the matter of ZBA Case 4-25-5752, that the petitioner's request for a 573.5 square foot variance to permit the construction of a 960-square foot detached accessory structure in addition to the existing 567 square feet of accessory structure floor area, and where the maximum amount of accessory structure floor area permitted is 953.5 square feet, be granted because the petitioner did demonstrate practical difficulties exist in this case in that he set forth facts which show that:**

- 1. Granting this variance request would be doing substantial justice to the petitioner as well as to other property owners in the district.**
- 2. The petitioner's plight is due to the unique circumstances of the property.**
- 3. The problem is not self-created.**

**With the following condition:**

**The construction materials, facades, and placement of the structure be as indicated in tonight's packet.**

**Roll call vote:**

Irvin	no
Jamil	yes
Khan	yes
Lindquist	no
O'Connell	yes
Rich	yes
Vergun	yes

**Motion passed 5-2.**

### **5. PUBLIC QUESTIONS AND COMMENTS:**

None.

### **6. APPROVAL OF MINUTES March 11, 2025**

**MOTION by Irvin, support by Vergun, to approve the March 11, 2025 meeting minutes with the following correction:**

- **P. 1, 1<sup>st</sup> line after subhead “Applicant Presentation”, correct the spelling of Dr. Khan’s name to read: Dr. Arfaat Khan.**

**Motion passed unanimously by voice vote.**

**7. NOMINATION OF OFFICERS**

**MOTION by Jamil, support by Khan, to nominate the following slate of officers for 2025:**

**Chair – Irvin**

**Vice Chair – Vergun**

**Secretary – Rich**

**Motion passed unanimously by voice vote.**

**8. ADJOURNMENT**

**MOTION by Irvin, support by Jamil, to adjourn the meeting.**

**Motion approved unanimously by voice vote.**

The meeting adjourned at 8:16pm.

Respectfully submitted,  
Daniel Vergun, Secretary

/cem