

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

1. CALL MEETING TO ORDER

Chair Irvin called the meeting to order at 7:30pm and made standard introductory remarks explaining the role of the ZBA and the formal procedures of the meeting.

2. ROLL CALL

Members Present: Banks (alt.), Irvin, Jamil, Khan, Lindquist, O’Connell, Rich

Members Absent: Vergun

Others Present: Zoning Supervisor Randt, City Attorney Morita, Recording Secretary McGuire

3. APPROVAL OF AGENDA

MOTION by Rich, support by Banks, to approve the agenda as submitted.

Motion carried unanimously by voice vote.

4. NEW BUSINESS:

A. ZBA CASE: 7-25-5756

LOCATION: 29510 Orchard Lake Rd.

PARCEL I.D.: 23-02-351-005

ZONE: B-3

REQUEST: In order to redevelop a service station, the following variances are requested: 1. A 2-foot variance to permit a maneuvering lane to be 18-feet in width for two-way traffic where 20-feet is the minimum width permitted for two-way traffic. 2. A 5.917-foot variance to permit a pump canopy to have a 19.083-foot front yard setback along Orchard Lake Road where a minimum 25-foot setback is required. 3. A 7-foot variance to permit a pump canopy to have an 18-foot front yard setback where a minimum 25-foot setback is required.

CODE SECTION: 34-5.3.3.A, 34-3.1.25.E

APPLICANT: Farmington Fuel Mart Inc.

OWNER: Fadi Naserdean

Zoning Supervisor Randt reviewed the documents in the submittal package. The subject property is located on the east side of Orchard Lake Road, just north of 13 Mile Road. The applicants are proposing to redevelop the property and are requesting variances related to the pump canopies and maneuvering lane.

Alex Raichoumi, MA Designers Group, Inc., appeared on behalf of owner Fadi Naserdean. He addressed the variance requests as follows:

- Regarding the canopy, the existing canopy appears outdated and oversized, and the owners have renovated the building and intend to update all features, including installing a modern canopy. The new canopy will stand approximately 17’ high.
 - The canopy along Orchard Lake Road is currently 12 feet from the road. Tonight’s proposal moves the canopy back to 19’1”, but meeting the full 25-foot setback would

place the canopy nearly at the face of the building, which is not feasible. The design reflects the maximum achievable setback.

- Along 13 Mile Road a 7' variance is being requested for the canopy. The proposed canopy is farther back from 13' Mile Road than the existing one.
- Regarding the maneuvering lane along 13 Mile Road, the measured width is 26'6" to the center of the island, leaving approximately 24'–25' of maneuvering space. Mr. Raichoumi said that the 18' measurement cited in the review stems from a misunderstanding, possibly due to a dotted line on the site plan indicating the edge of the canopy rather than the aisle width.

Mr. Raichoumi said that the owners are eager to open the station with the new canopy and updated pumps. One of the co-owners, Nick, was also in attendance and available to answer questions.

In response to questions from Member Rich, Mr. Raichoumi said that the canopy along the 13 Mile side is also over the pumps along Orchard Lake Road. The diesel pump on the south side along 13 Mile has been eliminated.

Member Rich asked who on staff determined the maneuvering lane placement. Supervisor Randt responded that the Planning and Engineering departments determine these requirements. The applicant is requesting a 2' variance for the maneuvering lane, allowing it to be only 18' wide. City Attorney Morita explained that the area next to the pump is considered a parking spot, not part of the two-way maneuvering lane, and that the contested 18' measurement is from the canopy edge. The ordinance requires 20' for the actual maneuvering lane beyond the parking area adjacent to the pump.

Member Rich asked whether consideration had been given to converting the 13 Mile driveways to one-way traffic—designating one as an entrance and the other as an exit—to minimize conflict between vehicles approaching from opposite directions. There was limited space for maneuvering on the south side of the pumps along 13 Mile.

Attorney Morita reiterated that the ordinance requires 20 feet of maneuvering lane in addition to space for a vehicle parked at the pump to allow two-way traffic. Mr. Raichoumi explained that they are left with an 18' 6' width after subtracting the parking space. In his opinion, the 2' variance could be reduced, but in any event the variance will allow for adequate clearance.

In response to further questions, Mr. Raichoumi confirmed that two driveways—those closest to the corner of Orchard Lake Road and 13 Mile Road—will be closed. This has not yet occurred because final site plan approval and permitting are pending.

Board Member Jamil spoke from his experience as the owner of several gas stations. He supported the proposed layout. The new design with only two driveways, away from the intersection, is safer and provides adequate room for vehicle movement, even with the 18-foot maneuvering lane.

Chair Irvin opened the floor to public comment; no public indicated they wished to speak. Member Rich confirmed that there was an affidavit of mailing with three undeliverable notices. Additionally, a July 4, 2025 letter from Frank Jaye opposing the requested variances was received via email.

Chair Irvin closed public comment and opened the floor to board discussion. City Attorney Morita explained that the board could move on all three variance requests together, or discuss each individually.

MOTION by Jamil, support by Banks, that in the matter of Case 7-25-5756, in order to redevelop a service station, the petitioner's request for the following variances be granted:

- 1. A 2-foot variance to permit a maneuvering lane to be 18-feet in width for two-way traffic where 20-feet is the minimum width permitted for two-way traffic.**
- 2. A 5.917-foot variance to permit a pump canopy to have a 19.083-foot front yard setback along Orchard Lake Road where a minimum 25-foot setback is required.**
- 3. A 7-foot variance to permit a pump canopy to have an 18-foot front yard setback where a minimum 25-foot setback is required.**

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

- 1. Compliance with the strict letter of the 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 requested would do substantial justice to the petitioner as well as to other property owners in the district.**
- 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 project will be constructed as indicated in the submitted plans and according to what was approved by the Planning Commission.**

Motion discussion:

Member Rich asked whether a curb should be included between the sidewalk and the property to create a buffer for pedestrian traffic, especially along 13 Mile Road. Mr. Raichoumi confirmed that a 6" curb was included in the site design, along with landscaping and sidewalk replacement along 13 Mile Road. These elements were shown on the plans submitted to the Planning Commission.

Motion passed 7-0 by voice vote.

- B. ZBA CASE: 7-25-5757**
LOCATION: 34650 Eight Mile Rd.
PARCEL I.D.: 23-33-376-040
ZONE: B-3

REQUEST: In order to redevelop a carwash and to permit a vacuuming area associated with the car wash, the following variance is requested. 1. A 47.9-foot variance to permit a vacuuming area associated with a vehicle car wash to be located 52.1-feet from a residentially zoned and used property where a 100-foot setback is required.

CODE SECTION: 34-4.40.B

APPLICANT/OWNER: MCW Farmington Hills, LLC

Zoning Supervisor Randt provided an overview of the property location, which is situated on Eight Mile Road west of Gill and east of Drake.

Jamie Antoniewicz, Atwell, appeared on behalf of the owner. He stated that the variance is requested to accommodate modernized vacuuming equipment at the site. The proposal includes replacing the existing older coin-operated pedestal vacuum stations with a centralized vacuum system connected to arms at individual stalls. While the central vacuum-producing equipment is more than 100 feet from the residential property, the vacuum arms themselves are closer, prompting the variance request. To mitigate impacts, Mr. Antoniewicz noted that a concrete wall currently exists, and additional landscaping is proposed to further buffer noise and visibility.

In response to Board questions, Mr. Antoniewicz stated that:

- Sound at the vacuum point would be approximately 70 decibels, but would drop by an estimated 20 decibels based on distance, with additional noise reduction provided by the wall and landscaping.
- Four older vacuum units would be replaced with six stalls and seven new vacuum arms, utilizing a quieter, more organized central system.
- The car wash would operate from 7:00am to 7:00pm, subject to seasonal adjustments.

Chair Irvin opened the floor to public comment; no public indicated they wished to speak.

Member Rich said there was one undeliverable notice. An email had been received from Eva Weber, a resident of the adjacent property, expressing opposition to the proposal due to noise concerns.

Chair Irwin closed public comment and brought the matter back to the Board.

In response to further questions, Mr. Antoniewicz confirmed that the new vacuums would be quieter than the ones being replaced. The vacuums would be located slightly closer to the property line, but as already discussed would be buffered by additional sound mitigation measures. The equipment would be more than 100 feet from the nearest residential structure, but the ordinance measures from the property line.

MOTION by Rich, support by Khan, that in the matter of Case 7-25-5757, in order to redevelop a carwash and to permit a vacuuming area associated with the car wash, the petitioner's request for the following variance be granted:

1. **A 47.9-foot variance to permit a vacuuming area associated with a vehicle car wash to be located 52.1-feet from a residentially zoned and used property where a 100-foot setback is required.**

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

1. **Compliance with the strict letter of the ordinance would render conformity with the ordinance 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.**
3. **That the petitioner's plight is due to the unique circumstances of the property**
4. **That the problem is not self-created.**

Based on the following findings of fact:

The requirement

- **s for space for vacuuming need to be set off to the side of the car wash so as not to interfere with the traffic entering and exiting the car wash, and**
- **The unique circumstance also involves the distance from the property line that the structures are located, in that there is sufficient space in the layout of the property as it exists. The distance from the residential buildings supports the request.**

With the following condition:

- **That the new vacuum system be installed in the location as indicated in the submittal information.**
- **Hours of operation will be 7am to 8pm daily.**

The motion also notes that if the vacuums were to be found to violate the city's noise ordinance, the applicant would need to address the violation at that time.

Member Jamil was concerned about imposing early closing times on a seasonal business, particularly in summer when daylight extends into the evening. He noted that many similar businesses operate later hours and cautioned against limiting operation to 7:00pm solely due to seasonal assumptions.

Mr. Antoniewicz clarified that the vacuums are tied to the main car wash operation and would not be operational outside of business hours. The applicant had indicated that they closed at 7pm.

Chair Irvin summarized that the discussion of hours was intended to balance the needs of the applicant with the concerns of adjacent residential properties, given the variance being sought for reduced setback. He emphasized the importance of setting a consistent downtime for neighboring residents.

Member Rich pointed out that his motion set a closing time of 8pm for the vacuums – one hour later than the requested time.

Motion passed 7-0 by voice vote.

C. ZBA CASE: 7-25-5758

LOCATION: 28352 Quail Hollow Rd.

REQUEST: In order to construct a new attached accessory building and two new additions that expand the principal residence, the following variances are requested: 1. A 1.4.-foot variance to permit the addition to have an 8.6-foot side yard setback where a minimum 10-foot setback is required. 2. A 9.5-foot variance to permit an attached accessory structure building (garage) to have a 5.5-foot side yard setback where a minimum 15-foot setback is required.

PARCEL I.D.: 23-09-402-007

ZONE: RA-1

CODE SECTION: 34-3.1.4.E

APPLICANT: Blake Hattermann

OWNER: Gregory M. Fawcett

Zoning Supervisor Randt explained that the property is located in the Quail Hollow subdivision off 12 Mile Road between Drake and Farmington. He presented the zoning district map, aerial view, site plan, floor plan, elevation drawings, and photos of the existing home.

Architect Blake Hatterman, Royal Oak, MI, was present on behalf of this variance request. Owners Lisa and Gregory Fawcett were also present.

Mr. Hatterman described the proposed additions, including a new master suite, expanded kitchen, and attached two-car garage. The design was created with the intent to preserve the character of the home and maintain compatibility with the neighborhood.

- Regarding the variance for the proposed garage: The existing carport was determined to be infeasible to enclose due to structural limitations and insufficient height clearance for modern vehicles. The attached garage is proposed as a replacement; similar garage configurations exist in the neighborhood.

The proposed garage would be pulled off the property line to avoid imposing on the adjacent property, and the overall structure is designed to be as compact as feasible.

A one-car garage was considered but did not meet the family's needs.

- Regarding the variance for the addition: This variance request involved a master suite addition at the rear (north side) of the home. Due to the skewed property line and proximity of the existing house corner to the lot boundary, a variance is necessary to allow appropriate design and functionality without significantly disrupting the existing floor plan. Alternative options such as interior reconfiguration or a detached garage were considered and rejected due to their impact on the backyard, family use patterns, and neighborhood compatibility.

Owners Lisa and Gregory Fawcett explained that they have lived in the home for 30 years and now wish to adapt it to allow them to age in place. Their proposed improvements include

relocating the laundry, adding a master suite, and constructing a functional garage. They want to enhance the property's livability without compromising its character.

In response to questions from Member O'Connell, Mr. Hatterman said the current house was conforming.

Chair Irvin opened the floor to public comment; no public indicated they wished to speak.

Member Rich stated that there was an affidavit of mailing with no undeliverables. A letter was received from a neighbor to the south, expressing no objection to the proposed garage addition. Member Rich pointed out that the south-facing garage would be closer to the southern neighbor than the north-side addition was to the northern neighbor, and the southern neighbor's support was particularly significant.

Chair Irvin closed public comment and brought the matter back to the Board.

MOTION by Khan, support by O'Connell, that in the matter of Case 7-25-5758, in order to construct a new attached accessory building and two new additions that expand the principal residence, the following variances be granted:

1. A 1.4-foot variance to permit the addition to have an 8.6-foot side yard setback where a minimum 10-foot setback is required.
2. A 9.5-foot variance to permit an attached accessory structure building (garage) to have a 5.5 foot side yard setback where a minimum 15-foot setback is required.

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

1. Compliance with the strict letter of the ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose.
2. That granting the variance requested would do substantial justice to the petitioner as well as to other property owners in the district.
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 project be constructed as shown on the plans submitted for tonight's documentation.

Motion passed 7-0 by voice vote.

5. PUBLIC QUESTIONS AND COMMENTS:

None.

6. APPROVAL OF MINUTES April 8, 2025

MOTION by Rich, support by Jamil, to amend and approve the May 13, 2025 meeting minutes as follows:

- P. 5, line 3, correct to read: . . . appearing before the Board . . .

Motion passed unanimously by voice vote.

7. ADJOURNMENT

MOTION by Jamil, support by Khan, to adjourn the meeting.

Motion approved unanimously by voice vote.

The meeting adjourned at 8:30pm.

Respectfully submitted,
Brian Rich, Secretary

/cem