

**MINUTES
CITY OF FARMINGTON HILLS
ZONING BOARD OF APPEALS
FARMINGTON HILLS CITY HALL
OCTOBER 14, 2025 – 7:30 PM**

1. CALL MEETING TO ORDER

Chair Irvin called the meeting to order at 7:30 p.m.

2. ROLL CALL

Members Present: Injeti (alt., arr. 7:39pm), Irvin, Jamil, Khan, Lindquist, O'Connell, Rich

Members Absent: Vergun

Others Present: Director of Planning and Community Development Kettler-Schmult, City Attorney Kolb, Recording Secretary McGuire

3. APPROVAL OF AGENDA

Motion by O'Connell, support by Khan, to approve the agenda as submitted.

Motion passed unanimously by voice vote.

4. OLD BUSINESS:

A. ZBA CASE: 8-25-5761

LOCATION: 22961 Woodrising Lane

PARCEL I.D.: 23-29-451-002

ZONE: RA-1A, One Family Residential District

REQUEST: In order to construct a 24'x32' (768-square-foot) detached accessory building (garage) with a 10'x24' (240 square foot) overhang with a height of 13.6 feet, the following variance is requested. 1. A 498.67 square-foot variance to permit 1,598.67 combined square feet of floor area of all accessory uses and buildings where 1,100 square feet is the maximum area permitted.

CODE SECTION: 34-5.1.2.D

APPLICANT/OWNER: Dominic Ridolfi

Director Kettler-Schmult introduced the facts of the case. The request was for a square footage variance only. The previous request (August 12, 2025) had also included a height variance. The height has been brought into conformance and is not a part of tonight's requested action.

Applicant presentation

Dominic and Beth Ridolfi, 22961 Woodrising Lane, were present on behalf of this variance request. The detached garage would be 24'x32' with a 10'x24' overhang, as shown.

Mr. Ridolfi stated that the purpose of constructing the garage is to improve the property's appearance by reducing driveway clutter and eliminating outdoor vehicle parking. The slight increase in length would allow space to park vehicles and a motorcycle inside the garage, as well as accommodate tool storage, thereby keeping items out of the driveway.

Mr. Ridolfi emphasized that maintaining the appearance and character of the neighborhood is a priority for them. The renderings shown are limited by the capabilities of the software, which does not depict the intended materials such as brick or siding.

To address this, Mr. Ridolfi provided photographs illustrating the materials to be used, emphasizing that both the brick and siding will match the existing house to ensure the new structure is fully consistent with the home's design.

Mr. Ridolfi further noted that landscaping is an important aspect of the project, and they intend to maintain an attractive, well-landscaped, and well-kept property.

Board questions

Noting correspondence received, Member O'Connell asked if Mr. Ridolfi was aware of the deed restrictions on his property. Mr. Ridolfi said he was not.

Mr. O'Connell pointed out that while the City does not enforce neighborhood deed restrictions and does not keep them on file, it appeared the deed restrictions could impact this request.

City Attorney Kolb advised that deed restrictions were not mentioned in the criteria for granting a variance, were not enforced by the City, and could not be part of tonight's discussion.

Mr. Lindquist noted that the applicant was responsible for knowing the deed restrictions attached to the property, since private action could be taken against a homeowner for violating deed restrictions even if the City granted approval.

Public hearing

Chair Irvin opened the floor to public comment.

Richard Landau, an attorney and the son-in-law of Anne Poleck, 22956 Wood Rising Lane, spoke in opposition to the proposed structure. Ms. Poleck's property is located directly across the street from the applicant's site. Mr. Landau emphasized the residential character of the neighborhood. He also noted that while the Zoning Board of Appeals does not have authority over deed restrictions, the proposal violates an existing deed restriction, and his client would have the right to seek a temporary restraining order in circuit court if the project were approved. Mr. Landau argued that the variance request does not meet the legal standards for a dimensional variance, asserting that the applicant has not demonstrated a practical difficulty unique to the property. He characterized the proposed garage as a personal hobby project rather than a necessity, describing it as a "utility structure" inconsistent with the architectural character and value of the surrounding homes.

Russ and Francine Jager, 22857 Walsingham, opposed this variance request. Ms. Jager stated that they have lived in the neighborhood for 43 years and value its longstanding character, spacious lots, and well-maintained appearance. She expressed concern that the proposed structure does not conform with the neighborhood's established standards and resembles a commercial facility rather than a residential building. They emphasized the importance of

preserving neighborhood aesthetics and property values, noting that their objection is not personal toward the applicants.

George Gaerig, 22812 Walsingham Drive, opposed the variance request. He stated that based on the City of Farmington Hills' ordinance, the required criteria—unique hardship, unique circumstances, and property-specific applicability—are not met in this case. The request is intended to accommodate a personal hobby rather than address a property hardship and the proposed accessory building exceeds the allowable floor area for the RA-1A residential district. Approving the variance would alter the character and visual integrity of the neighborhood and should be denied.

Carol Andrews, 22852 Walsingham Drive, opposed this variance request. She asserted that the proposed structure is excessive in size, industrial in appearance, and inconsistent with the residential character and deed restrictions of the subdivision. She expressed concern that approving the variance would negatively impact property values and set a precedent that could degrade the neighborhood's established character.

Margaret Gaerig, 22812 Walsingham, opposed the variance request. She stated that the proposed building is out of character with the surrounding neighborhood and that such inconsistency would negatively impact neighborhood property values and marketability. Granting the variance could set a precedent for similar structures in the future, further altering the established character of the area.

Joe Coelho, 22912 Woodrising Lane, was not opposed to this variance request. He stated that he lives directly across the street from the applicant's property and has reviewed the plans. The majority of the proposed structure would be located behind the applicant's house and screened by trees, making it minimally visible from the street, and he did not see the proposed garage as an issue.

Peter Fylonenko, 22878 Walsingham, opposed the variance request. He stated that the proposed structure is "huge", exceeding the size of a typical residential garage and appearing consistent with a commercial facility. The building would be visible from his front door, and would be visually intrusive and incompatible with the surrounding neighborhood, which primarily consists of homes with two-car garages. The request does not present a legitimate hardship and would negatively impact neighboring residents.

No other public indicated they would like to speak.

Secretary Rich reported that there was an affidavit of mailing, with no undeliverables. Three letters opposing the variance had been received.

Applicant response to public comment

Mr. Ridolfi expressed regret that the variance request had caused division within the neighborhood, stating that such an outcome was never his intention. He explained that some misinformation may have circulated regarding the project and reiterated that the rendering software used for the submitted visuals was unable to depict the intended brick and siding

materials, which will match the existing house. Mr. Ridolfi said that the proposed structure represents only a modest increase in depth compared to a standard two-and-a-half-car garage and is proportionate to the lot and home size. He emphasized that the variance request is minor—less than 500 square feet—and intended to allow full use of the property while maintaining the neighborhood's character.

In response to a question from the Board, Mr. Ridolfi said the roof will be metal. The siding will be aluminum siding, with 4' brick wainscoting. If required, they will install a shingle roof.

Board deliberation and/or motion

Member Rich acknowledged the character of the neighborhood and noted that the Board evaluates each variance request on its individual merits. He observed that the subject property is located near the end of the street, limiting its visibility, and suggested that concerns regarding potential negative impacts on property values may be overstated. However, he agreed that there may be an issue with one of the four factors of practical difficulty. Member Rich pointed out that denying the variance could allow the property owner to construct another, less compatible structure under existing zoning ordinances, whereas granting the variance could allow the Board to impose conditions to maintain neighborhood standards.

Member Khan also noted that the subject property is located near the end of the cul-de-sac, with limited visibility from most neighboring homes. He observed that many of the opposing comments came from residents on adjacent streets rather than immediate neighbors and that the only nearby resident who spoke was in support of the request. Member Khan stated that he did not view the proposed structure as significantly detrimental to neighboring properties and did not believe it would negatively impact surrounding property values.

Member Lindquist confirmed with staff that there were no outstanding ordinance violations on the property.

Member Lindquist stated that during his site visit, he observed that the applicant's property is elevated above the roadway, and from that vantage point, only the roof or upper portion of the proposed structure would likely be visible. He noted that the neighboring property's detached garage is far more prominent from the street and has been in place for many years, yet did not appear to have decreased property values in the neighborhood. Member Lindquist commented that, based on his observations, the applicant's proposed garage would be significantly less visible and less impactful on the streetscape than the existing adjacent structure.

MOTION by O'Connell, support by Rich, in the matter of ZBA Case 8-25-5761, that the petitioner's request for a 498.67 square-foot variance to permit 1,598.67 combined square feet of floor area of all accessory uses and buildings where 1,100 square feet is the maximum area permitted, in order to construct a 24'x32' (768-square-foot) detached accessory building (garage) with a 10'x24' (240 square foot) overhang with a height of 13.6 feet be DENIED, because the petitioner DID NOT demonstrate practical difficulty exists in this case in that he DID NOT set forth facts that 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 render conformity with the ordinance unnecessarily burdensome.
2. That granting the variance requested would do substantial justice to the petitioner as well as other property owners in the district or that a lesser relaxation than relief applied would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

And that:

3. The petitioner's plight is not due to unique topography of the property.
4. The problem is self-created.

Motion discussion:

Member Lindquist said he would oppose the motion. He believed the applicant has met the practical difficulty aspect and the other aspects are commonly granted. The problem is not self-created because the geography of the property is limited and the ability to build on other areas of the property is limited. There are unique circumstances to the geography of the property.

Roll call vote:

O'Connell	aye
Rich	aye
Lindquist	nay
Khan	nay
Jamil	nay
Injeti	aye
Irvin	nay

Motion failed 3-4.

MOTION by Lindquist, support by Jamil, in the matter of ZBA Case 8-25-5761, that the petitioner's request for a 498.67 square-foot variance to permit 1,598.67 combined square feet of floor area of all accessory uses and buildings where 1,100 square feet is the maximum area permitted, in order to construct a 24'x32' (768-square-foot) detached accessory building (garage) with a 10'x24' (240 square foot) overhang with a height of 13.6 feet be GRANTED, because the petitioner did demonstrate practical difficulty exists in this case and he set forth facts that 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 render conformity with the ordinance unnecessarily burdensome.
2. That granting the variance requested would do substantial justice to the petitioner as well as other property owners in the district.
3. The petitioner's plight is due to unique topography of the property.
4. The problem is not self-created, and is attributed to topography and the normal use of a residential property. Many newer properties, particularly on lots of this size, have three or even four-car garage spaces, and this amount of garage space or accessory space is not unusual.

With the following conditions:

- That the building be constructed in conformance with the renderings that were provided to the Board in exact measure and be consistent with the appearance and design of the residential dwelling.
- That the roof of the building will be of the same material and color as the roof on the existing home, including color and same dimensional shingles.
- That the building is not to be used for any non-permitted commercial purpose.
- The owner will resolve the storage of the vehicles that are currently in the side yard and relocate those items.

Roll call vote:

Lindquist	aye
Jamil	aye
O'Connell	nay
Rich	nay
Khan	aye
Injeti	nay
Irvin	aye

Motion passed 4-3.

5. NEW BUSINESS:

A. ZBA CASE: 10-25-5762

LOCATION: 23097 Potomac Circle

PARCEL I.D.: 23-28-303-004

ZONE: RC-1, Multiple Family Residential

REQUEST: In order to construct a new sunroom addition to the rear of an existing dwelling the following variance is requested. 1. A 10-foot variance to permit a sunroom addition to rear of an existing dwelling to the required 20-foot rear yard setback requirement.

CODE SECTION: 34-3.1.10.E

APPLICANT: Ethan Gurski

OWNER: Steven S. Michaels

Director Kettler-Schmult provided the facts of the case. The subject property is located within a multifamily residential district, where single-family homes are a permitted use. The existing structure includes a rear deck, which the applicant proposes to enclose to create additional living space. Because enclosed structures are subject to different setback standards than open decks or patios, the proposed enclosure requires a 10-foot variance from the rear property line.

Applicant presentation

Ethan Gurski, 2142 Dorothea Road, Berkely, builder for this project, explained that the variance is requested to enclose an existing rear deck to create a sunroom, allowing the homeowners to expand their living space and age in place. He noted that the proposed structure would be set slightly within the footprint of the existing deck, maintaining the home's current appearance with matching materials. Mr. Gurski added that the rear of the property faces an elementary

school with no residential neighbors, and that both the homeowners association and adjacent property owners support the request.

Homeowner Steven Michaels further explained that the irregular shape of the lot constrained the original home placement, necessitating the variance to build within the rear setback. He emphasized that the rear yard is buffered by a wide, wooded area separating the property from the school, and that constructing the addition to the side of the home would be impractical and visually inconsistent with the house's design.

In response to questions, the applicant provided the following further information;

- The existing deck would be completely removed.
- There would be a patio door on either side of the sunroom. While the current project does not include a patio, a cement patio may be installed in the future. For the time being, wood stairs will lead down to a 37" cement landing at ground level.

Public hearing

Chair Irvin opened the public hearing. As no public indicated they wished to speak, Chair Irvin closed the public hearing.

Member Rich reported that there were three emails in support of this project. There was an affidavit of mailing with four undeliverables.

Board deliberation and/or motion

MOTION by Jamil, support by Khan, that the petitioner's request for a 10-foot variance to the required 20-foot rear yard setback requirement, in order permit a sunroom addition to the rear of an existing dwelling, be GRANTED, because the petitioner did demonstrate particular difficulties exist in this case and that he set forth facts that 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 the other property owners in the district.**
3. **That the petitioner's plight is due to the unique circumstances of the property.**
4. **The problem is not self-created.**

Motion passed unanimously by voice vote.

The Chair called a recess at 8:36pm and reconvened the meeting at 8:42pm.

B. ZBA CASE: 10-25-5763

LOCATION: 30561 Sunderland Drive

PARCEL I.D.: 23-06-253-010

ZONE: RP-2, Planned Residential District

REQUEST: In order to construct an attached pergola, the following variance is requested: A 4.08-foot variance to the general exception requirement that an uncovered, unenclosed deck, porch,

patio or paved terrace not project into the minimum rear yard setback more than 10 feet, reducing the required 15-foot minimum rear yard setback to 10.92 feet.

CODE SECTION: 34-3.26.6.A

APPLICANT: Kirk Rasch, Glass Doctor of Michigan

OWNER: Zef Kalaj

Director Kettler-Schmult gave the facts of the case. She explained that the City Planner determined the proposal qualified as an uncovered and unenclosed structure projecting into the rear yard setback (pergola), requiring a variance for a 10.92-foot encroachment. She noted that a photograph of the front of the home from the Assessor's Office was included in the presentation, along with supporting information submitted by the applicant detailing the proposed construction plans. Additional materials, which were difficult to display on screen, were provided to the Board in their packets for reference to illustrate the applicant's intended design and materials for the pergola.

Applicant presentation

Kirk Rasch, Glass Doctor of Michigan, and a licensed builder, presented the request for a 4.08-foot rear yard variance to allow the construction of an attached pergola over an existing concrete slab. He explained that the property has a unique configuration, with irregular setbacks on both rear corners that constrain placement options for the proposed structure. Mr. Rasch emphasized that the pergola would not be enclosed and would feature a substantial, well-integrated roof design consistent with the existing home. During his site review, he also observed existing drainage patterns from an adjacent hillside, noting that the area has already been mitigated for water runoff. He concluded that the variance request is based on the property's unique layout and conditions.

In response to questions from the Board, Mr. Rasch said that the roof will extend over the existing patio, which is already in violation of the ordinance. It was unknown when the existing patio was constructed.

Public hearing

Chair Irvin opened the public hearing. Seeing that no public indicated they wished to speak, Chair Irvin closed the public hearing.

Member Rich reported that there was an affidavit of mailing with two undeliverables.

Board deliberation and/or a motion

Member O'Connell asked whether the structure, described as a pergola but appearing to have a fully covered roof, would be classified differently for zoning purposes. Director Kettler-Schmult explained that the materials submitted indicated the roof was more transparent than typical covered structures and that the City Planner determined the pergola classification was most appropriate.

MOTION by Rich, support by O'Connell, that the request for a 4.08 foot variance to the general exception requirement that an uncovered, unenclosed desk, porch, patio or paved terrace not project into the minimum rear yard setback more than 10 feet, reducing the required 15-foot

minimum rear yard setback to 10.92 feet, in order to construct an attached pergola, 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 unreasonably prevents the petitioner from using the property for a permitted purpose or renders conformity with the ordinance unnecessarily burdensome.
2. Granting the variance requested would do substantial justice to the petitioner as well as to other property owners in the district, and a lesser relaxation than the relief applied for would not accomplish the same purposes.
3. The petitioner's plight is due to the unique circumstances of the property.
4. The problem is not self-created.

Specifically, the motion takes into account the following facts:

- The layout of the houses in the area as well as neighboring houses backing up to this property were allowed to be very tight.
- The petitioner already has a patio that exists that is consistent with the other homes in the area.
- Many homes in the area have second floor decks, which is almost the equivalent of this request if there is space under the second floor deck, in that it is almost the same as having a roof or movable cover like this pergola would have. Having an attached structure that is not enclosed is consistent with many of the other homes in the area.

This motion is subject to the condition that the structure be built according to the plans provided to the Planning Commission in tonight's packets.

Motion passed unanimously by voice vote.

C. ZBA CASE: 10-25-5764

LOCATION: 28922 Wintergreen

PARCEL I.D: 23-08-102-005

ZONE: RA-1, One Family Residential District

REQUEST: In order to park two commercial vehicles vans exceeding 8 feet in height the following variance is required. 1. A variance from the requirement that no part of a vehicle exceeds 8 feet in overall height, measured from the ground, to allow two commercial vehicles to be parked as an accessory to a one-family dwelling.

CODE SECTION: 34-4.14 (3)

APPLICANT/OWNER: Robert Wilson

Director Kettler-Schmult clarified that the classification of the vehicles as commercial in this case is based on the City's code definitions rather than their specific use by the property owner. She explained that the designation is determined by the physical characteristics and size of the vehicles, which meet the criteria for commercial classification under the zoning ordinance. This is the reason the vehicles are identified as such on the meeting agenda.

Bianca Wilson, 28922 Wintergreen, spoke on behalf of this variance request. She explained that the two vehicles classified as commercial are used solely for personal and family purposes, primarily to transport their children and team members to youth sports practices and competitions, as well as for family gatherings and travel. Ms. Wilson emphasized that the vehicles are essential to their daily routines and family activities, not for business use, and are parked on the side of their home. She stated that enforcement of the ordinance restricting such vehicles would create a significant hardship by limiting their ability to support their children's athletic commitments and family-oriented lifestyle. The vehicles have been owned and parked at the residence since 2022 without issue.

In response to questions, Ms. Wilson explained that notices from the City regarding expired plates were sent to a Walled Lake mailing address. The plates are now current.

In response to questions, Ms. Wilson said that the vans are registered and insured under a business for loan purposes, with commercial plates, but are used solely for personal and family activities.

Noting that the vans (Mercedes Sprinters) are approximately 10' tall, board members asked about potential alternative storage options. Director Kettler-Schmult clarified that the height restriction applies only to commercial vehicles, while recreational vehicles may exceed eight feet if parked in the rear yard. City Attorney Kolb further explained that commercial vehicles are allowed as an accessory use to a single-family dwelling under the ordinance, with the only issue in this case being their height.

Member O'Connell reminded the applicant that homeowners association restrictions may also apply.

Public hearing

Chair Irvin opened the public hearing.

Jennifer Nelson, Midland MI, property manager for the Halsted Estates Condominium Association, spoke in opposition to the variance request. She explained that the Association's master deed and bylaws, specifically Article 6, Section 2(D)(4), prohibit the parking of commercial and recreational vehicles outside of an enclosed garage. Ms. Nelson stated that even if the variance were granted, the restriction would remain enforceable under Association regulations. She reported that six homeowners, representing ownership of 11 units (approximately 55% of the development), submitted written opposition to the request, citing concerns about the negative impact on neighborhood aesthetics and the potential for future similar requests. Ms. Nelson further argued that the applicant's situation was self-created, as the use of commercial vehicles for family or sports activities is a personal choice, and noted that multiple nearby storage facilities are available for off-site vehicle storage. The Association formally requested that the variance be denied to preserve the residential character and marketability of the development.

Member Lindquist confirmed with Ms. Nelson that the Halsted Estates Condominium Association prohibits the parking or storage of commercial and recreational vehicles anywhere on the property, including rear yards and common areas. Ms. Nelson clarified that under the Association

bylaws, only passenger cars, passenger vans, and minivans are permitted outside enclosed garages. In response to Member O'Connell's questions, she noted that the Association initially received complaints about the vehicles but lacked proof they were commercial until notified by the City regarding tonight's meeting.

Member Lindquist further asked about enforcement regarding pickup trucks, which are also prohibited by the bylaws. Ms. Nelson stated that she has been the property manager for only a few months, and in that time she has not been asked to enforce against pickup trucks.

Member Lindquist asked whether the vehicles would be permitted under the condominium bylaws if they were registered as personal rather than commercial vehicles. Ms. Nelson responded that while passenger vans are generally permitted, she would recommend the Association consult its attorney for clarification, given the broader use of the vehicles as stated this evening.

As no other public indicated they wished to speak, Chair Irvin closed the public hearing and invited the applicant to respond to comments made during the public hearing.

Applicant response

Ms. Wilson clarified that only one of the two vans—the gray Sprinter—is registered as a commercial vehicle, while the white van is registered for personal use. She emphasized that the condominium association has not historically enforced its regulations and that her family has parked the vehicles at the residence for three years without issue or complaint from neighbors. She was unaware of any active association oversight until recently when the association had begun collecting association dues.

Board questions and deliberation

In response to questions from the Board, Ms. Wilson offered the following further information:

- She received condominium association documents when purchasing the home but noted that no formal association existed at that time. Ms. Wilson added that both vehicles are used exclusively for family and youth sports transportation, not for business purposes, despite one being registered under her healthcare company. She indicated a willingness to re-register the vehicle for personal use if necessary.
- The household maintains five vehicles: two Sprinter vans, two Escalades, and one Yukon.
- Ms. Wilson's husband holds a chauffeur's license, and only insured individuals, such as coaches, occasionally operate the vehicles to transport teams. The vans are used for noncommercial purposes.
- Ms. Wilson reiterated that the vehicles are used solely for family and volunteer activities and expressed frustration that their presence has become a point of contention, noting that they have been parked at the home for years without issue.

Member Lindquist sought clarification from staff regarding the distinctions between condominium and homeowner associations. City Attorney Kolb explained that condominium associations typically hold greater authority over shared property elements and aesthetics. Director Kettler-Schmult added that this development appears to be a site condominium, where owners hold title to both their dwelling and individual lot, with limited common elements within the subdivision.

Member Lindquist asked whether the vehicles would violate the zoning ordinance if registered as personal rather than commercial vehicles. Director Kettler-Schmult stated that personal vehicles would not typically fall under the same restriction, though she and City Attorney Kolb noted that the ordinance does not clearly define a commercial vehicle. Board members discussed distinctions between commercial, recreational, and personal classifications, with Director Kettler-Schmult confirming that recreational vehicles parked in residential neighborhoods may exceed eight feet in height, subject to location and time limits for parking.

Member Rich emphasized that the Zoning Board's authority is limited to applying the City's ordinance and does not extend to enforcing homeowners or condominium association bylaws.

Chair Irvin asked whether the variance would still be required if only one vehicle remained commercially classified. Director Kettler-Schmult responded by reading the ordinance definition of a commercial vehicle, clarifying that classification is based on a vehicle's use rather than its registration status.

Member Lindquist confirmed with the applicant that no payments were received from team members or family for transportation and that the vehicles were not used for business or patient transport related to the applicant's healthcare company. Ms. Wilson confirmed that the vans are used solely for personal and volunteer purposes.

Member Lindquist suggested moving to deny the variance, suggesting that the applicant could re-register both vehicles as personal vehicles to comply with city regulations. City Attorney Kolb recommended tabling the request to allow the applicant time to provide proof of updated vehicle registration. Member Lindquist responded that if the matter were tabled, the board should also receive verified documentation of vehicle registration, ownership, height, use, and driver information, along with staff clarification on the distinctions between commercial, recreational, and personal vehicles.

Member Rich reported that the record included an affidavit of mailing, three undeliverable notices, and correspondence from the homeowners association and nearby property owners.

Member Lindquist advised Ms. Wilson that whatever action is taken by the ZBA, the condo association is entitled and able to enforce its bylaws.

MOTION by Lindquist, support by O'Connell, to table further discussion and action on ZBA Case 10-25-5764 to the December 2025 BZA meeting, to give the applicant time to provide proof of registration for the vehicles, and height and length measurements of the vehicles.

Motion passed unanimously by voice vote.

D. ZBA CASE: 10-25-5765

LOCATION: 27745 Orchard Lake Rd.

PARCEL I.D.: 23-15-201-015

ZONE: ES, Expressway Service District

REQUEST: In order to install an illuminated wall sign on a third facade (west wall), the following special exception is required: 1. A special exception to the requirement that in an Expressway Service District, a structure may not have wall signs on more than 2 facades.

CODE SECTION: 34-5.5.3.B.ii.a (1), 34-5.5.5.C

APPLICANT: Sam Kizy, Titanic Sign Co.

OWNER: Fiaz Simon

Director Kettler-Schmult clarified that the request before the Board is for a special exception rather than a variance, noting that distinct review standards apply to special exceptions under the zoning ordinance.

Applicant presentation

Sam Kizy, Titanic Sign Company, presented this request for a special exception to install an illuminated wall sign on the west facade of the gas station building at 27745 Orchard Lake Road. He explained that due to the building's sharp angle at the intersection of Orchard Lake Road and Twelve Mile Road, the existing signage on the other two facades is not visible to the majority of approaching traffic, particularly vehicles traveling eastbound on Twelve Mile Road and southbound on Orchard Lake Road. The proposed sign would display only the word "Liquor," matching the size, design, and materials of the existing signage to maintain a uniform and aesthetically consistent appearance. Mr. Kizy emphasized that the additional sign is essential for business visibility and identification, given the site's orientation and heavy traffic flow.

In response to questions from the Board, Mr. Kizy confirmed that the sign would be identical in size and style to existing signage, measuring approximately 24 inches in height by 10 feet in width, and would be the only sign installed on the west-facing facade.

Public hearing

Chair Irvin opened the public hearing. As no members of the public came forward to speak, Chair Irvin closed the public hearing.

Member Rich reported that there was an affidavit of mailing and three undeliverable notices.

Board deliberation and/or a motion.

Member Jamil commended property owner Fiaz Simon for the quality and appearance of the newly constructed building.

MOTION by Jamil, support by Rich, that in the matter of ZBA Case 10-25-5765, that In order to install an illuminated wall sign on a third facade (west wall), the request for a special exception to the requirement that in an Expressway Service District, a structure may not have wall signs on more than 2 facades, be GRANTED because the petitioner did demonstrate that the requirements for a special exception exist in this case, in that he set forth facts which show that:

- i. **That the request is based upon circumstances or features that are exceptional and unique to the property and that are not self-created;**
- ii. **That the failure to grant relief will result in substantially more than mere inconvenience or financial expenditures;**

- iii. That application of the regulations in this section without a special exception will unreasonably prevent or limit the use of the property or will unreasonably preclude the visibility or identification of a nonresidential building on the property;
- iv. 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
- v. When taken on its own, or in combination with other existing conditions on the property or in the area, that 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. Any approval of a special exception pursuant to this subsection shall specifically detail the limits of the relief granted and shall be subject to such reasonable conditions as the zoning board of appeals may require to preserve and promote the character of the district in question, the affirmative findings necessary for granting the special exception, and the purposes of this chapter. The zoning board of appeals may revoke any grant of a special exception under this subsection for a violation of such grant upon the giving of thirty (30) days' notice of such violation to the owner of the premises and a hearing held thereon.

With the condition that the signage being granted for the special exception is as presented in the application.

Motion discussion:

Member Rich noted the city's responsibility to review all the signage at this location for compliance with brightness and other technical requirements. He emphasized that the Board's decision pertained solely to permitting signage on the third facade.

Motion passed by voice vote 6-1 (Khan opposed).

E. ZBA CASE: 10-25-5766

LOCATION: 29919 Stanhurst Rd.

PARCEL I.D.: 23-05-477-010

ZONE: RA-1, One Family Residential District

REQUEST: In order to construct an addition measuring approximately 12.2' x 13.6' the following variance is required. 1. A 2.8-foot variance to the required 10-foot (east) side yard setback. This will permit the addition to have a 7.17-foot side yard setback.

CODE SECTION: 34-3.1.4.E

APPLICANT/OWNER: Rohini Devi Potla

Director Kettler-Schmult explained that the request involves a side yard setback variance due to an existing nonconforming condition. The home was originally intended to meet the required 10-foot setback; however, during construction, it was built slightly closer to the property line than permitted, resulting in a reduced setback toward the rear of the home. This misalignment appears to have been caused by a construction or site layout error by the original builder. The proposed addition would extend along the same line as the existing structure, thereby

expanding the nonconforming condition and necessitating a variance. The addition would enclose the existing concrete patio and upper deck area as part of the home.

Application presentation

Owner Rohini Potla requested a 2.8-foot side yard setback variance to enclose the existing first-floor and basement-level patios at their home on 29919 Stanhurst Road. The project would not extend beyond the home's original footprint and is intended primarily to prevent basement water intrusion. Ms. Potla noted that they are not the original homeowners and believed the house may have been previously built under a special permission, though documentation could not be located.

Builder Paul Scott provided technical details, explaining that the existing slab will be removed and replaced with new footings dug 42 inches deep to support the enclosed addition. The new structure will align with the existing foundation, constructed with 2x6 framing and anchored to the home with concrete bolts. The addition will match the existing roofline and materials, and feature a small overhang consistent with the main house.

In response to Member O'Connell's questions, Mr. Scott said that the addition will maintain walk-out basement access, include a new door wall, and feature a 4'x5' window on one side and a 15"x36" window on another to provide light and egress.

Member O'Connell asked further clarifying questions regarding the construction details and finish materials, noting that the submitted drawings were hand-sketched and lacked clarity. Mr. Scott explained that the exterior of the new addition would be finished with James Hardie siding over sheathing and Tyvek wrap, while the interior would be drywalled.

Member O'Connell asked how the existing windows would be treated once enclosed within the new structure. Mr. Scott explained that the existing windows on the original exterior wall would open into the new four-season room, which will serve as an enclosed, temperature-controlled living space with two separate porches—one on the lower level and one above.

Public hearing

Chair Irvin opened the public hearing.

Fred and Cindy Karoub, residents of 29937 Stanhurst Road and immediate eastern neighbors of the applicant, expressed concern regarding the appearance and design of the proposed addition. Mr. Karoub referenced renderings depicting a glass-enclosed structure and sought clarification on whether both the upper and lower decks would have the same enclosure style. He also asked about the roof design and overall aesthetic of the proposed addition, stating that based on the limited information available, they were inclined to oppose the request due to concerns about the visual impact and compatibility with the surrounding homes.

Chair Irvin requested clarification regarding the adequacy of the applicant's hand-drawn plans. Director Kettler-Schmult explained that detailed engineered drawings are not required at this stage and would be reviewed during the building permit process. In response to questions about materials already being delivered, she noted that no violation had occurred as long as

construction had not begun. Attorney Kolb confirmed that the Board's role was limited to deciding whether to grant the 2.8-foot side yard setback variance, not to evaluate construction materials or design specifics. Chair Irvin concluded that any further design questions could be discussed privately between the applicant and interested neighbors, allowing the Board to proceed with the variance review.

Roy Ferguson, 29903 Stanhurst, and the adjacent neighbor to the west, expressed concern regarding the potential impact of the proposed addition on property values. He questioned whether granting the variance could negatively affect his home or surrounding properties. Mr. Ferguson emphasized the importance of maintaining neighborhood standards and upholding the integrity of the homeowners association's guidelines.

Applicant response

Mr. Scott provided additional clarification on the proposed construction, explaining that the lower portion of the addition would include straight framed walls with a three-foot base, a central 4'x5' window, and a smaller 15"x36" window on the east side. The structure would be built with 2x6 framing, OSB sheathing, Tyvek wrap, and James Hardie siding, with a roofline matching the pitch of the existing home. He indicated that the roof could be either metal or shingle, depending on city approval.

Member O'Connell reiterated that the Board's role was limited to evaluating the 2.8-foot side yard setback variance and not the construction materials or design specifications, which would be reviewed later through the building permit process.

Member Jamil was concerned that construction materials were already on site despite no building permit having been issued.

Member Rich reported that there was an affidavit of mailing on file, with four undeliverables, and two correspondences in opposition to this variance request.

Board deliberation

Acknowledging that the Board was not approving construction or design plans, Member Rich expressed hesitation to approve the variance without more detailed renderings or construction plans. He noted that the purpose of setbacks was to preserve aesthetics by not having one structure too close to the property line of a neighbor. In this case, the Board had been presented with pictures of what the final product might look like, while also being told that those may not be exactly what they look like. The lack of clarity about the final appearance made approval premature.

Chair Irvin agreed, sharing concerns raised by both residents and board members about the absence of visual documentation and the potential visual impact on adjacent homes.

Director Kettler-Schmult explained that the applicant could not obtain a building permit without first being granted a variance, but the applicant could be asked by the ZBA to provide more detailed information.

The consensus among board members was that additional information and visual materials were necessary before making a final determination.

MOTION by O'Connell, support by Khan, to table ZBA Case 10-25-5766 to the December 9, 2025 ZBA meeting, in order to give the applicant time to submit detailed construction plans.

Motion passed unanimously by voice vote.

5. PUBLIC QUESTIONS AND COMMENTS

Fred Karoub, 29937 Stanhurst, offered comment and asked questions regarding process relative to ZBA Case 10-25-5766.

6. APPROVAL OF MINUTES: August 12, 2025

MOTION by Rich, support by Khan, to approve the August 12, 2025 meeting minutes as submitted.
Motion passed unanimously by voice vote.

Member Lindquist announced he would be joining the Planning Commission, and tonight's ZBA meeting would be his last. He had served on the ZBA for 18 years.

Board members thanked Member Lindquist for his service and Chair Irvin particularly thanked Member Lindquist for his leadership on the Board.

7. ADJOURNMENT

MOTION by Lindquist, support by O'Connell, to adjourn the meeting.
Motion passed unanimously by voice vote.

The meeting adjourned at 10:36pm.

Brian Rich, Secretary

/cem