

**City of Dearborn**  
**Zoning Board of Appeals**  
**Thursday, May 22, 2025**  
**Minutes**

**Called to Order:** 5:32 p.m.

**Commissioners Present:** Glen Green (Chair), Hassane Fadlallah (Secretary), Tim Muflihi, Mona Hammoud, Afan Bapacker.

**Technical Advisors:** David Breneau, Zoning Administrator; Kaileigh Bianchini, Planning Manager; Gopi Patel, City Attorney.

**Approval of Minutes.** Motion by Commissioner Fadlallah, supported by Commissioner Hammoud that the minutes of the previous regular meeting of Thursday, April 24, 2025 are approved as recorded. Motion carried unanimously.

**Appeal #25-109**

Consideration of a request of Aymen Taleb, for a variance to accommodate a circular driveway, the property size being approx 0.44-acre, irregular, in a RA (One Family Residential) District at:

**1911 Beaver Street**

Breneau summarized the Staff report dated May 22, 2025. Factors to consider on the variance request: Plans were administratively approved for the applicant in 2023 for construction of a new house, the shell of which is now completed. The applicant is now proposing changes to the site plan, which include the addition of a circular driveway. Circular driveways are only permitted on lots with a minimum front yard depth of 35 ft feet. The applicant's front yard is only 27 ft 7 in. The applicant built the house based on plans that were administratively approved for them with a 27ft 7in front yard depth. If the house had been built to plans indicating a 35ft front yard depth then a circular driveway could possibly have been approved administratively. Any practical difficulty is self-created. Staff is unaware of any characteristic of the property that creates a practical difficulty warranting this request. This provision was created as part of the 2019 residential design standards to allow for the creation of functioning circular driveways. Staff believes the shallow front yard forces a design such that entrance onto the circular driveway functions poorly

Applicant's builder said there is precedence with a house around the corner on Outer Dr and a house on Military, 654 N Military is 105ft x 108ft, and 19275 Outer Dr, which is 126ft x 53ft; our lot is 125ft x 154ft, so when Staff says it is 27.4ft, that is only on one side, and that is only 15ft on each bumpout, and the whole frontage of the house is 80.5ft, so the bumpout, which is 7.8ft, only those two sides take away from the 35ft, but if you go off the back wall, then it is 35ft, that would be only 30ft out of 80.5ft of the house.

Bapacker said the front entrance is still less than 35ft.

Hammoud said he is saying the bulk of the house is set back 35ft, which does not matter because the 15ft bumpout is what is causing the driveway to be close to the front property line.

Green asked what is the need for a circular driveway.

Builder said it looks better, and for parking if you have a party you have enough room instead of taking up the side street, and there is a catch basin, which is always being obstructed by a tree, so with cars parked there, there will be less debris.

Green said with the circular driveway you were walking down the steps to a vehicle versus walking an extra 20 ft to a vehicle.

Builder said you are not using the front door you are using the garage.

Green asked why the circular driveway when there is a sizable garage with a sizeable driveway; his concern is the Ordinance is there to provide for a green zone; if this appeal is granted his concern is they will get a flood of these requests.

Builder asked if he could address other properties with circular driveways.

Green said he does not know when those pictures were taken, if they were approved or when they were approved.

Bapacker said the issue is the frontage measurement to the house, so the other properties are they 35ft?

Builder said one is 53ft deep x 105ft.

Bapacker asked what is the frontage measurement.

Builder said it is way less than 35ft; he said his lot is unique in that you can go in without any arch and go out, and the green zone the whole side is all grass, the front is all bushes.

Green asked when the owner decided he needed a circular driveway because you could have submitted plans that met the criteria.

Applicant said he decided have it when he removed a side door from the approved plans and wanted to walk from the driveway to the house and not have to go through the garage, especially in winter.

Hammoud said it seems the circular driveway is way too close to the street, there is no need for it.

Applicant said it is a triple lot, it is not a small lot.

Hammoud said it is the closeness to the street.

Bapacker asked what is the space between the driveway and the sidewalk, how many feet?

Bianchini said it is about 11ft depending on the arch.

Bapacker asked how far is the other circular driveway?

Applicant said one is 645 N Military, right by Dearborn High, and the other one is right next to Dearborn High.

Green asked if they do not meet the setback.

Applicant said no.

Hammoud asked if they had been before the Board.

Breneau said this is only the second circular driveway that has been before the Board and the other one was before the Board a few years ago and was denied and when someone points out that there are other circular driveways in the area we have to research to see when they were done.

Green asked when Council passed this Ordinance for the 35ft, do we know all the reasons, were there safety issues, green zone issues.

Breneau, said it was partially green zone, partially the functioning of the circular driveway itself; previous to the amendment people were putting circular driveways on smaller and shallower lots and we were getting various configurations that did not work very well, often having cars parked at the sidewalk, so part of it was to allow the driveways to arc away from the public sidewalk; there are two separate requirements, one for the width, which the applicant meets, and the other for the depth.

Builder said this lot is very unique, it has plenty of frontage, it is not close to the sidewalk, plenty of greenspace, it is not shallow, it will stretch across the whole lot, no cars will be invisible or on the approach, there is a depth of 154ft, all green.

Green asked if we have had safety complaints with existing circular driveways.

Breneau said he is not aware of any.

Green said he might be okay if this was a foot or a couple of feet, but this is 8 ft, and his bigger concern is a lot of people will want to put these in and a lot of people will want to be before the Board with similar requests, and if we say yes to this he does not know how he can deny others.

Builder said it is 8ft short only at one corner, while the other corner is set back more; there is no safety issue, no one from the neighborhood is objecting.

Green asked the plans that he submitted for the house, do they meet all of the other requirements, for position on the lot, for setbacks.

Breneau said they were administratively approved, so that would have meant that it met all of the requirements for what was being proposed at that time.

Green said the lot is irregularly shaped, so you could not reposition the house on the lot without violating the setbacks.

Builder said correct.

Hammoud said there is plenty of space for the house, he could have pushed it back, there is plenty of room; it is a grand house, why not do landscaping instead of a driveway.

Builder said there is a lot of landscaping.

Bapacker asked the width of the circular driveway, if it was the smallest it could be?

Bianchini said it is 10ft.

Breneau said there is a provision that says the driveway has to be functional.

Bianchini said 9ft is usually the minimum that is required, but with circular driveways the arc has to be correct.

Builder said the arc isn't very big, it is a straight drive through, with the arc off to the side where it does not need the 35ft, there is no arc, but other driveways have a huge arc in the middle.

Bapacker asked if it would be preferred towards having an arc, an arc would make it more functional.

Builder said when you arc you hit the landscaping in turning, this is a straight shot, like driving down the street.

Bapacker said part of the intent of the ordinance is to ensure a certain amount of greenspace.

Green said it gives a presentation of a lot of concrete in front of the house; how many cars do you think will park in the circular driveway.

Builder said it depends, but you won't have 20 cars there; but would you rather have the cars on the property than on the street where it can cause accidents?

Hammoud asked if the Ordinance is written in a way as to not have people park in their circular driveway, to keep it empty for circulation.

Breneau said they are meant more for a drop-off zone than for parking.

Builder said the owners will park in the garage and the driveway with the circular driveway being more for a drop-off and a spillover when they have people over, like for Eid, instead of being overpopulated in the street, and it is dangerous for everyone for people to park in the street.

Green said if it won't be used that often then why have it?

Hammoud said with the setback of the house it should not be a big deal for someone to park in the street and walk to the front; the driveway is so close to the street that it is not needed.

Green said the greater the setback the greater the opportunity if a car is pulling straight through, for line of sight for a child on his bike to be able to see the car coming out; if this is a pass-through will there be a tendency for a vehicle to come out fast and not pay attention to who is on the sidewalk; when you are back out it is different than pulling forward, and you can generate speed because you are moving forward.

Builder said given the length of the driveway someone on the sidewalk will have a better chance to see the car pulling out and for the driver to see someone on the sidewalk.

Green said he does not believe this meets the criteria necessary for Board approval; he stated that the facts on record that we are unaware of any characteristic of the property that creates a practical difficulty, or one that was not self-created.

Public comment: None

Outside correspondences: None

**RESOLUTION.** Motion by Commissioner Fadlallah, supported by Commissioner Muflihi, for the reasons and subject to the facts, representations and stipulations stated on the record during the public hearing, to APPROVE the variance detailed below:

Sec. 2.05 Reduce the required minimum front yard depth to allow for a circular driveway from 35 ft to 27 ft 7 in. Zoning requirement: 35 ft front yard depth. Proposed: 27 ft 7 in front yard depth is APPROVED (DZO 32.05, F.1. F, M).

This motion is conditioned on the petitioner's continuous compliance with all applicable ordinances, codes, laws and statutes; and, the petitioner must perform all work under plans, permits and final inspections approved by the City of Dearborn.

Roll call vote:

Green: No

Fadlallah: Yes

Muflihi: Yes

Hammoud: No

Bapacker: No

Motion to approve fails.

### **Appeal #25-110**

Consideration of a request of Mohamad Farhat, on behalf of Farhat Real Property LLC, for variances to accommodate new construction of a 2-story mixed-use building with first-floor retail and second-floor event space. The property size being 70 ft wide, 285 ft deep, 0.46-acre, in a WD-UG (West Downtown Form Based Code - Urban General, Required Storefront) district at:

### **21903 – 21919 Michigan**

Breneau summarized the Staff report dated May 22, 2025. Factors to consider on the variance request: Proposed for the 0.46-acre site is the demolition of the existing building and new construction for first-floor retail and second-floor event space and

rooftop patio. The site is within the Form Based Code for the West Downtown Urban General Required Storefront district. Regulations include site layout rules, as well as rules for architectural elements. The proposed project requires variances for building setback and minimum bulk, parking lot setback, and building entrance rules. The street rights-of-way slope down southward and eastward, creating grading challenges (practical difficulty) for building setback and minimum bulk and pedestrian entrance rules. The site size and shape, the grading, and the proposed servicing uses of the parking area make a conforming parking lot setback impractical (practical difficulty).

Hammoud asked if the minimum frontage requirement conflicts with the parking requirements?

Breneau said this is in the parking exempt zone; it is in the West Downtown Form Based Code, which differs from other commercial zoning districts in that it encourages more building development versus restricting it and focuses more on architectural features.

Bianchini said this property is challenging due to its three frontages, it also has a challenge for sanitation; part of the rationale as to why Staff supports this request is they have to have an area to manage trash and deliveries, so keeping the servicing area drives the frontage request; Staff has worked a lot with the applicant, the site is challenging due to the grading, multiple road frontages; there are a lot of practical difficulties that support these types of variances; there has been a lot of work on the design; one of the purposes of the Form Based Code is to encourage walkability and to have levels of activity, that is why the corner patio became a corner keystone for the site; the building meets the ten-ft build-to requirement along Michigan Avenue, which will allow it to match the frontage of the neighboring building, and have good pedestrian access in the front; along Oakwood the required 10ft build-to makes the site more challenging than it already is, and getting a functioning building footprint was another challenge.

Green asked is that is an open-air patio.

Bianchini said yes.

Green asked how do you access it?

Breneau noted the back entrance from the parking lot, the stairwell and the elevator near the back entrance.

Green asked if it was open-air space below the roof.

Breneau stated it is all windows.

Architect said to access the patio there is non-ADA access from the front and ADA access in the rear.

Hammoud asked if both floors are for one tenant?

Architect said yes; he said part of the reason for the requests pertaining to Oakwood Boulevard is for ADA access because it becomes extremely difficult for handicapped people to navigate down that street, especially in winter; they are also working with Wayne County on a future bike lane and temporary parking.

Green said because of the nature and the juxtaposition of the property with three streets, it creates a number of issues not of the applicant's doing; we need to look at the frontage build-to along Oakwood, due to the nature of the incline along Oakwood no dooryards are going to be on Oakwood to preclude ADA access issues; due to the nature of the lot there is an adjustment to the parking setback, and we are considering the nature of the elevation change on Oakwood and at the corner, to look at the required number of entrances and how frequently they must occur on the frontages.

Public comment: None

Outside correspondences: None

**RESOLUTION.** Motion by Commissioner Fadlallah, supported by Commissioner Bapacker, for the reasons and subject to the facts, representations and stipulations stated on the record during the public hearing, to APPROVE the variances detailed below:

27.04 A Reduce the required Urban General frontage build-to along Oakwood Blvd from 85% to 51%. Zoning requirement: 85%. Proposed: 51% is APPROVED (DZO 32.05, F.1. A, H, J).

27.04 A Reduce the required Urban General build-to/ Dooryard along Oakwood Blvd from 10 ft to 0 ft. Zoning requirement: 10 ft. Proposed: 0 ft is APPROVED (DZO 32.05, F.1. A, H, J).

27.04 A Reduce the required parking setback along Oakwood Blvd from 30 ft to 8 ft. Zoning requirement: 30 ft. Proposed: 8 ft is APPROVED (DZO 32.05, F.1. A, H, J).

27.03 C 1 d Waive the required one functioning entrance along the Oakwood Blvd ground floor façade at intervals not greater than 50 feet. Zoning requirement: 2 functioning entrances. Proposed: 0 functioning entrances is APPROVED (DZO 32.05, F.1. A, H, J).

27.04 B b iv Waive the required minimum of one functional entrance every full 25 feet of required storefront frontages along Michigan Avenue and Oakwood Boulevard. Zoning requirement: 3 to 4 functioning entrances. Proposed: 2 functioning entrances is APPROVED (DZO 32.05, F.1. A, H, J).

This motion is conditioned on the petitioner's continuous compliance with all applicable ordinances, codes, laws and statutes; and, the petitioner must perform all work under plans, permits and final inspections approved by the City of Dearborn.

Motion carried unanimously.

Meeting Adjourned: 6:50 p.m.