

**City of Dearborn**  
**Zoning Board of Appeals**  
**Thursday, April 30, 2026**  
**Minutes**

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

**Commissioners Present:** Hassane Fadlallah (Chair), Glen Green (Vice-Chair), Samera Ajami (Secretary), Tim Muflihi, Mona Hammoud.

**Technical Advisors:** David Breneau, Zoning Administrator; Massara Zwayen, Planning Manager; Yassmen Sobh, City Attorney.

**Approval of Minutes.** Motion by Commissioner Green, supported by Commissioner Ajami, that the minutes of the previous regular meeting of Thursday, March 26, 2026 are approved as recorded. Motion carried unanimously.

**Appeal #26-104**

Consideration of a request of Mike Shehadi, on behalf of AMS Regent Court, LLC, for variances to accommodate construction of a gas station with 16 fuel pumps and a convenience store building, the property size being 52,356 sq ft, approx 260 ft of frontage along Shehadi Court, 1.2 acres, irregular, in the (BC) General Business zoning district:

500 Shehadi Court

Breneau summarized the Staff report dated April 30, 2026. Factors to consider on the variance request: The applicant owns a vacant 1.2-acre site, which is Unit 4 of a larger 58-acre commercial site condominium complex. Proposed for Unit 4 is construction of a gas station with 16 pumps fuel and a one-story, 7,481 sq ft retail and carry-out food services building. Variances are required for building and dumpster enclosure setbacks along Shehadi Court, parking deficiency, and insufficient landscaping. Shehadi Court is considered the primary frontage under the Condominium Plan. The proposed building and dumpster enclosure are required to be set back 51 ft from the Shehadi Court centerline. Shifting the location of the building and dumpster enclosure 9 ft to the north would eliminate the 2 requested variances. While trees are required along Shehadi Court, none are proposed due to a DTE easement. The plan provides insufficient parking. However, Staff believes the Zoning Code requires too much parking for gas stations, as, in part, it double-dips requiring parking spaces for the fueling stations and the retail and food service components. Nonetheless, the proposed gross floor area of the retail and carry out restaurant building could be reduced to decrease the required number of parking spaces. The proposed plan presents a site design that is improper. The overall design could have been presented differently to meet (more of) the City Zoning Ordinance and reduce the required variances.

Zwayen said the condominium was amended and approved by Council for the Ford Road entry at West Shehadi Street; the site plan has been updated with the parcel lines to reflect this amendment.

The applicant's attorney Matt Heron stated his case, summarizing exhibits in Board Packet (on file).

Ajami asked about the trucks coming in, will these be semis since they would come off from the Southfield Expressway, will you provide diesel for them, will this be a truck stop?

Applicant's engineer Hassan Khalaf said they provided a truck circulation plan for the tanker, but no, they do not sell diesel, this is not a truck stop.

Breneau said a gas station for trucks is not permitted here.

Fadlallah said they provided plans for the trucks coming to service the business.

Green said we calculate 1.5 parking spaces per pump.

Attorney said for the gas station portion they have 24, they require 62, collectively they have 53, they did not separate them by use.

Breneau said there is a breakdown in the report.

Green asked why we have 1.5 spaces per pump.

Breneau said he does not know, this provision predates his tenure.

Green there is a 9-space difference between 1 space per pump versus 1.5; the Board has used 1 before in their mindset; he asked if they can put trees along the south side.

Attorney said no, they put in 3 more trees than required along the west side, although they are still short total.

Green asked are they actual trees or are they shrubs.

Attorney they are trees, shrubs are treated differently.

Green asked if there are different requirements between trees and shrubs.

Breneau said for shrubs it is 6 per 35 lineal ft of greenspace.

Green said shrubs can go in the DTE easement.

Breneau said yes, they are on the plan.

Green said it is not completely devoid of greenery.

Attorney said they have 38 more shrubs than required.

Fadlallah said with the DTE easement you can't put that many trees.

Hammoud asked if they need to park elsewhere, can they park across the street.

Breneau said the previously approved grocery store and plaza is to the south.

Engineer said yes, they can park there.

Hammoud asked if the parking lot is full can they park in the back, will there be no parking signs.

Zwayen said just to clarify the grocery store and plaza went to the Board for a parking variance.

Public comment:

David Swana, Homer Street, asked is the 1.5 space standard for the pump.

Breneau said that has been in the Ordinance for quite some time.

Swana said I think with vehicle pump access, cars access the pumps differently, and I think that is where you get your 1.5, I wouldn't cut that down, then we have to cram people in, the cars don't always pull in and perfectly align with the pumps, and if there are one or two cars waiting it does not seem there is much room for lining up, there are gas stations where they are waiting in the road.

Green said the Board has relaxed that 1.5 for a lot of gas stations without much issue, they picked a number based on something that said 1.5, but the Board has not found that to be real life, a lot of gas stations with overflow were a problem from before, but what the Board has reviewed in the last 10 years or so things have been good with the numbers.

Outside correspondences: None

**RESOLUTION.** Motion by Commissioner Ajami, supported by Commissioner Green, 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:

Sec. 29.02 Reduce the required front setback requirements for the building from 50 ft to 41 ft. Zoning requirement: 50 ft. Proposed: 41 ft is APPROVED (DZO 32.05, F.1. F, G, K).

Sec. 2.14 Reduce the required setback for the dumpster enclosure from 50 ft to 41 ft Zoning requirement: 50 ft. Proposed: 41 ft is APPROVED (DZO 32.05, F.1. F, G, K).

Sec. 4.01 C 9 Reduce the required number of parking spaces from 62 parking spaces to 53 spaces. Zoning requirement: 62 parking spaces. Proposed: 53 parking spaces is APPROVED (DZO 32.05, F.1. F, G, K).

Sec. 5.02 B 2 Reduce the required number of trees along Shehadi Court from 6 to 0. Zoning requirement: 6 trees. Proposed: 0 trees is APPROVED (DZO 32.05, F.1. F, G, H, K).

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.

### **Appeal #26-105**

Consideration of a request of David Makki, on behalf of LivWell Longevity, for a variance to accommodate interior renovations that expand the gross floor area for an office use, the property size being 6,900 sq ft, 69ft wide, 100ft deep, 0.16 acre, in the (OS) Office zoning district:

#### 1751 Monroe Street

Breneau summarized the Staff report dated April 30, 2026. Factors to consider on the variance request: The applicant owns an existing 2-story, 1,601 sq ft office building built in 2021 on a 0.16-acre site on the south side of Monroe Street, south of Beech Street, at Audrey Street. The site plan was approved by the Planning Commission. Proposed are interior renovations to increase the internal floor area, partially by converting an indoor recreation area to office space and partially by expanding the second-floor office space over the recreation area. The proposed increase in floor area requires more parking and increases the required parking to 11 spaces. On-street parking exists along Audrey Street. The applicant has provided a nonbinding parking agreement with a church across Monroe for up to 6 spaces.

The Planning and Zoning Division recommends any approval be subject to maintaining a signed parking agreement between the business owner and the Good Shepherd Church at 1570 Monroe Street. If the parking agreement is changed or discontinued or if the use of the property changes then the Zoning Board of Appeals shall reconsider the parking variance.

Zwayen said there is no change of use, the previous use was office, and the proposed use is professional office that will not accept any patients; they are making modifications to the building by increasing the GFA, triggering needing more parking spaces.

Fadlallah asked how many employees.

Makki said currently and for the foreseeable future 5.

Fadlallah said he is familiar with the area, how many off-street parking spaces are along Audrey, and there is a fire hydrant.

Breneau said about 4 or 5, and the fire hydrant does limit parking, they can get two on their side, and there is parking on the other side.

Makki said the parking is away from the residential, and the doctor's office across Audrey Street has their own lot.

Hammoud asked the amount of parking that is the shortage, you are getting that from the church, right.

Makki said yes, but we'll probably never use it, but it satisfies the Ordinance to have it.

Green said if you double the number of employees you still have a lot of on street parking, and if you maintain the agreement you should be pretty safe, are you okay with the condition?

Makki acknowledged it.

Muflihi said with the employees using the church parking lot that helps a lot.

Public comment:

David Swana, Homer Street, said the fire hydrant helps a lot, most employees don't want to walk across the street, especially in winter, they will take the nearest spots, one of the problems is that anybody turning off onto Homer there will be congestion when the sides are filled up, and people park close to Monroe, there is no line of sight, but the fire hydrant helps with this on Audrey.

Outside correspondences: None.

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

Sec. 4.01 C 9 Reduce the number of required off-street parking spaces from 11 parking spaces to 5 spaces. Zoning requirement: 11 parking spaces. Proposed: 5 parking spaces is APPROVED (DZO 32.05, F.1. D, J, I).

The CONDITION is as follows:

1. The use shall be an administrative telehealth office operating as a professional/general office use. No patients shall visit the site. No clinical examinations or treatments shall occur on-site. No medications or medical supplies shall be stored or dispensed on the premises.
2. The applicant shall maintain a signed parking agreement between the business owner and the Good Shepherd Church at 1570 Monroe Street. If the parking agreement is changed or discontinued or if the use of the property changes then the Zoning Board of Appeals shall reconsider the parking variance.

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.

## **Appeal #26-106**

Consideration of a request of Jonathon Yono, on behalf of Jays Hospitality Group, Inc, for variances to accommodate a change of use to a new smoking lounge, the property size being 0.5 acres, approximately 21,100 sq ft, approximately 140 ft wide, 180 ft deep, irregular, in the the (WD) West Downtown Form-Based Code zoning district:

22269 Michigan Avenue

(tenant space within the Village Commons building at 22273 Michigan Avenue)

Breneau summarized the Staff report dated April 30, 2026. Factors to consider on the variance request: The applicant is proposing interior renovations to a tenant space in the West Village Commons Plaza on Michigan Avenue east of Military Street in the West Downtown. The previous use was a restaurant. The interior renovations split the lease space such that the kitchen becomes a carry out and the dining area is converted to a smoking lounge. This request is for the smoking lounge. The proposal requires three variances specific to smoking lounges, all distance waivers. Another smoking lounge already exists on the same premises, which makes it less than the required 1,200 ft distance. Peace Park One is 50 ft from the property, less than the required 700 ft. Sacred Heart Parish and School is 473 ft from the property, less than the required 700 ft.

Zwayen said the existing smoking lounge is nonconforming, it has been there a while, it has changed hands, there are no variances for the existing lounge.

Breneau said it predates both the code and the Peace Park.

Green asked if they have outdoor smoking.

Zwayen said there is no outdoor smoking, they are adding to the building, what is on the plan is an enclosed space.

Applicant stated there is a similar glass enclosure for a steakhouse a few doors closer to the Peace Park.

Green said he is not a fan of outdoor smoking.

Ajami asked if it is the same landlord between this building and the building to the east.

Breneau said yes.

Ajami asked if there is something in the lease saying you cannot have the same type of business.

Applicant said he owns the other lounge, he has two different lounges due to State law restrictions with cigar and hookah.

Ajami said her concern is she goes to the nearby coffee shop a lot and for health reasons does not want to have to walk through it, how do we keep it away from the people who want to enjoy the outdoor space, is the enclosed space filtered, do they open the windows?

Applicant said it is ventilated, moreso than what state law requires.

Public comment: None

Outside correspondences: None.

**RESOLUTION.** Motion by Commissioner Ajami, supported by Commissioner Green, 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:

Sec. . 7.02 V 6 a Reduce the required minimum distance between smoking lounges from 1,200 ft to 0 ft. Zoning requirement: 1200 ft. Proposed: 0 ft is APPROVED (DZO 32.05, F.1. B, L).

Sec. . 7.02 V 6 b Reduce the required minimum distance between a smoking lounge and a park from 700 ft to 50 ft. Zoning requirement: 700 ft. Proposed: 50 ft is APPROVED (DZO 32.05, F.1. B, L).

Sec. . 7.02 V 6 b Reduce the required minimum distance between a smoking lounge and a school from 700 ft to 473 ft. Zoning requirement: 700 ft. Proposed: 473 ft is APPROVED (DZO 32.05, F.1. B, L).

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.

### **Appeal #26-107**

Consideration of a request of Sam Fakh, on behalf of 1200 Property Investments, LLC and Park 1200, LLC, for variances to accommodate a second-floor building expansion and a change of use to first-floor retail and second-floor offices, the property size being 182.7 ft frontage along Oakwood Blvd, approx 282 ft frontage along Park Street, 182ft frontage along Monroe Street, 1.22-acre, in the (WD) West Downtown Form-Based Code zoning district:

#### 1200 Oakwood Boulevard

Breneau summarized the Staff report dated April 30, 2026. Factors to consider on the variance request: Existing on the 1.22-acre site is a 2-story, 14,964 sq. ft. building last used as a funeral home. The site is in the West Downtown Form Based Code district – Urban General Frontage The proposed development includes maintaining the existing building structure, increasing the second-floor gross floor area and occupying the entire floor for 11 office spaces and 3 work stations. The site has topographical challenges in

that the site slopes downward from Monroe to Oakwood Boulevard, and the proposed development includes regrading the entire site. The proposed regrading is to accommodate building accessibility. The existing building and site are currently nonconforming in the district in which it is located. The proposed changes to the existing building are considered a major modification to the existing nonconforming building that would trigger zoning compliance. The proposed project requires variances for building frontages, parking lot setback, and building entrance rules. The applicant is working with an existing building footprint and an overall existing site layout, which create challenges to the renovations and change of use.

The proposed design and building expansion have not yet included a structural analysis to confirm that the existing building can support the new addition. Furthermore, geotechnical testing and calculations for the bearing capacity and foundation are required. These items would be required to be submitted to the City before permits could be issued.

As previously noted, the applicant is aware of the risks with requesting variances for the building without an accompanying feasibility design plan, as any future site design or structural changes could invalidate any granted variances.

Zwayen said the map for the Form Based Code was amended in 2023 to extend the Form Based Code district south to include this area, partly to encourage more mixed use, and improve walkability; the existing building is nonconforming; since they are expanding more than 38% floor area they need to come into full compliance with the regulations; they are expanding the second floor to be the same footprint as the first floor, it is 55% additional floor space.

Ajami asked why can't you add the entrance facing Monroe.

Engineer said there is a grade issue, there is a driveway coming off from Park, which is 3ft 3in above the first floor level, if they put a door there, the slope to that door would be 6-7%, and they cannot go more than 5%, for parking and ADA, the walk at the door needs to be level, and the entrance would distract from the image of the building, the retail spaces face Park.

Zwayen said we have not finalized the review due to the incomplete plans, that is why we have the recommendations.

Applicant discussed a previous plan to build an apartment building, which was not economically feasible.

Ajami said she does not see parking on the request, will they need to come back?

Breneau said they are in the parking exempt zone, there are two public parking lots directly across the street.

Public comment: None

Outside correspondences: None.

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

Sec. 27.04 A Reduce the required minimum frontage build-to line requirement along Park Avenue from 85% to 62%. Zoning requirement: 85%. Proposed: 62% is APPROVED (DZO 32.05, F.1. A, H, J).

Sec. 27.04 A Reduce the required minimum frontage build-to line requirement along Monroe Street from 85% to 28.57%. Zoning requirement: 85%. Proposed: 62% is APPROVED (DZO 32.05, F.1. A, H, J).

Sec. 27.04 A Reduce the required parking setback along Monroe Street from 30 ft to 11 ft. Zoning requirement: 30 ft. Proposed: 11 ft is APPROVED (DZO 32.05, F.1. A, H, J).

Sec. 27.03 C 1 d Waive the requirement to provide a functional entrance for every 50 ft along Monroe Street. Zoning requirement: 1 functional entrance. Proposed: 0 functional entrance is APPROVED (DZO 32.05, F.1. A, H, J).

The CONDITIONS are as follows:

1. The following items shall be submitted to the City before permits will be issued: a structural analysis to confirm that the existing building can support the new addition; geotechnical testing and calculations for the bearing capacity and foundation.
2. Any substantial site design or structural changes associated with this project shall invalidate any of the granted variances.

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.

### **Other business**

Yassmen said regarding the requested change in chairs, you need to state on the record that you are stepping down, after that then the Board will acknowledge there is a vacancy, which gets placed on the agenda for the next meeting, then there is a special election for the vacancy, and there has been enough time since the time Green last served that he is eligible for reelection.

Fadlallah said he is stepping down as Chairman of the Zoning Board of Appeals.

Ajami said she acknowledges Fadlallah's resignation.

Green acknowledged the vacancy.

Ajami and Fadlallah said they want it set for the next meeting.

Ajami asked when is the next meeting.

Breneau said May 21.

### **Adjournment**

Motion by Commissioner Ajami, supported by Commissioner Hammoud, to adjourn the hearing. Motion carried unanimously.

Meeting Adjourned: 6:55 p.m.