

City of Dearborn
Zoning Board of Appeals
Thursday, June 25, 2026
Minutes

Called to Order: 5:32 p.m.

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

Technical Advisors: David Breneau, Zoning Administrator; Nolan Kukla, Senior Planner; Yassmen Sobh, City Attorney.

Approval of Minutes. Motion by Commissioner Fadlallah, supported by Commissioner Hammoud, that the minutes of the previous regular meeting of Thursday, May 21, 2026 are approved as recorded. Motion carried unanimously.

Appeal #26-109

Consideration of a request of Robert Huard, for variances to accommodate an addition to an existing detached garage and a carport, the property size being 12,589 sq ft, 90 ft wide, 140 ft deep, 0.289-acre, in the (RA) One-Family Residential zoning district:

2937 Parker Street

Breneau summarized the Staff report dated June 25, 2026. Factors to consider on the variance request: Existing on the 0.289-acre property is a 1-story, 1,786 sq ft house with a detached 984 sq ft garage. The garage was built under a variance allowing its nonconforming size. On the front of the garage is a carport built without a permit. Proposed is a 723 sq ft addition to the garage, making it 1,705 sq ft. The enlarged garage is intended to accommodate the applicant's hobbies (model cars and aircraft). The garage addition is triggering two variances for garage size and garage height. The carport requires Zoning Board of Appeals approval as an accessory structure not otherwise permitted by the Zoning Code. Staff is unaware of any practical difficulty presented by the property that warrants the excessive garage size. The proposed addition itself exceeds the maximum permitted building size and the proposed resulting building is almost as large as the house. The applicant has been advised that an addition to the house could accommodate his hobbies without requiring Zoning Board of Appeals approval. The house addition could be either on the second floor or in the rear. The size of the property (rear yard) could accommodate a rear addition.

Staff is recommending denial of this request and added that the request on the hearing notice for the side setback was determined to be unnecessary.

Breneau stated the applicant brought the postcards that had been mailed by the City to the neighbors that he had them mark for their support, perhaps a version of a petition.

Green asked if the postcards are an attempt to show that the neighbors approve of the proposed project.

Applicant said he had the neighbors sign the cards to the City to support the request.

Bapacker asked the garage size limitation, it is proportional to the lot size or the structure?

Breneau said it is an overall cap regardless of property size.

Bapacker said he assumes it is due to people doing businesses out of their garage.

Breneau said businesses, pole barns, it could be any number of things that the city does not want people doing on their residential properties.

Bapacker asked for the height, the required versus proposed, is the slope factored in, the extra 1 ft 9 in?

Breneau said that is the reason for the request.

Green said so if the slope were not there it would have met the 16 ft requirement.

Breneau said yes.

Green said so we measure to the lowest point of the foundation.

Hammoud asked if he were to do a separate structure, such as a shed, would he still need a variance?

Breneau said with the size of the addition itself, if the addition were a separate building, it would still require ZBA approval for its size. ,

Hammoud asked what if the shed were less than 700 sq ft, or is there a requirement for a shed?

Breneau said a shed is only allowed to be 10 ft by 10 ft, and that is why we were encouraging him to add to the house.

Bapacker said so any accessory structure would have to be counted towards the limitation.

Breneau said all accessory buildings are capped by it.

Green asked are we okay on lot coverage?

Breneua said yes.

Green asked the second request, approval of the carport, so there are no planned changes to the carport, just putting it under the envelope of approved.

Breneau said yes.

Fadlallah said we are giving it the blessing because it was not blessed before.

Breneau said it was built without a permit so in order for him to be able to obtain a permit for a carport he needs the blessing of this Board.

Green said we are not changing the carport, it is staying as it is right now.

Breneau said that is how it appears.

Muflihi asked if this is an as-built.

Breneau said for the carport yes.

Applicant said it has been there for many years, since before he bought the house in 1996; he has made some structural improvements to it with the posts, it withstood recent storms, the reason for it is acorns dropping from the neighbor's tree onto the car.

Green said one of the requests is for the carport, its been there, we would just be approving it, acknowledging it is a variance, and that it would be able to be permitted.

Breneau said two things to point out, it appears the post may obstruct getting into the garage, and Staff had requested structural analysis of the carport, which was not provided.

Green said another item is to increase the permitted height, that condition has already existed due to the dropoff at the back.

Breneau said he is extending what is there

Green said the crux is the accessory structure that adds an additional 723 sq ft to an already variances 1,000 sq ft garage, and the reason you want it on the garage is the model airplane work, you don't want it in the house.

Applicant said sometimes it can get dusty.

Darwiche said also there would be structural challenges to doing this as a house addition, such as closing off egress windows, and it would reduce daylight windows, and they want to preserve its distinct character.

Bapacker said he sees this as a major issue because in his neighborhood there are people with mechanics shops; setting a precedent to allow a garage this size, it is a huge garage already, and allowing it to be even bigger, while you are doing this for a hobby, someone else will want to run a business, painting, fixing cars, storage.

Darwiche said there is no access to the addition for cars, it is a four-foot entry door, and it is blocked off from the rest of the garage.

Bapacker asked if the addition qualifies as a shed.

Breneau said it exceeds the 10 ft by 10 ft limit, and as an addition the request is for the

size of the building.

Hammoud asked if he were to do a separate accessory building that was 650 sq ft, and call it storage, can he do that?

Kukla said the 700 sq ft cap is for the cumulative sizes of the accessory buildings.

Breneau said the ordinance allows one garage and one shed, and the shed is limited in size, so there are overall size limits to the accessory buildings.

Green said key facts for him are that the requested height is as it exists on the as-builts because of the slope of the land, the carport is not changing, it already exists, the variance would be to allow it to be properly permitted; the bigger point is the 700 sq ft addition; while it is connected with a common wall to the existing structure, it is not open to it, there is an outside 4ft wide door, it will not allow for car mechanical work, we are not running a business out of it, it appears there is an existing shed on the property behind the garage.

Breneau said that was built without a permit.

Darwiche said that will be removed.

Green said there is a furnace in the garage.

Darwiche said a radiant heat unit.

Breneau said that is not permitted, the ordinance specifically does not allow it.

Darwiche said it will be removed during construction anything, so it will not be there.

Green asked if the carport is attached to the garage.

Fadlallah said yes.

Hammoud said that was the question mark with Building, right, for the adequacy of the carport.

Green asked if the request was approved if he is okay with a stipulation to remove the existing shed and heater.

Darwiche said yes,

Green noted the correspondences (17 post cards), "okays" from the neighbors.

Public comment: None

Outside correspondences: None

RESOLUTION. Motion by Commissioner Fadlallah, supported by no one, for the reasons

and subject to the facts, representations and stipulations stated on the record during the public hearing, to CONDITIONALLY APPROVE the request detailed below:

Sec. 2.03 C3 Increase the maximum permitted garage size from 700 sq ft to 1,705 sq ft. Zoning requirement: 700 sq ft. Proposed: 1,705 sq ft is APPROVED (DZO 32.05, F.1. B, F, M).

Sec. 2.03 D2 Permit a carport as an accessory structure. Zoning requirement: ZBA approval required for unlisted accessory structures. Proposed: The existing carport is an unlisted structure is APPROVED (DZO 32.05, F.1. B, F, M).

Sec. 2.03 C 4 Increase the maximum permitted height of an accessory building from 16 ft to 17 ft 9 in Zoning requirement: 16 ft. Proposed: 17 ft 9 in is APPROVED (DZO 32.05, F.1. B, F, M).

The CONDITION is as follows: The heater in the garage shall be removed, the small detached shed shall be removed.

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.

Bapacker requested a roll call.

Roll call:

Commissioner Green: Deny

Commissioner Fadlallah: Yes to approve

Commissioner Muflihi: No

Commissioner Hammoud: No

Commissioner Bapacker: No

Motion failed.

Discussion about doing a line item motion to vote on just the carport, with the height being moot. Legal supported.

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

Sec. 2.03 D2 Permit a carport as an accessory structure. Zoning requirement: ZBA approval required for unlisted accessory structures. Proposed: The existing carport is an unlisted structure is APPROVED (DZO 32.05, F.1. B, F, M).

The CONDITION is as follows: The heater in the garage shall be removed, the small detached shed shall be removed

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 #26-110

Consideration of a request of Mike Shehadi, on behalf of AMS Regent Court, LLC, for variances to accommodate construction of two one-story, multiple-tenant commercial buildings, the property size being 117,763 sq ft, approx 535 ft wide, 2.7 acres, irregular, in the (BC) General Business zoning district:

100 and 300 Shehadi Court

Breneau summarized the Staff report dated June 25, 2026. Factors to consider on the variance request: The applicant owns a vacant 2.7-acre site, which is Unit 5 of a larger 58-acre commercial site condominium complex. Proposed for Unit 5 is construction of a new plaza with two one-story buildings totaling 17,485 sq ft of GFA and include retail and restaurant spaces. Variances are required for the building front setback along Shehadi Court and a 13.5% parking deficiency. Shehadi Court is considered to be the primary frontage under the Condominium Plan. The proposed building is required to be set back 50 ft from the Shehadi Court centerline. Shifting the location of the building 8 ft 11 in to the north would eliminate a requested variance. The plan provides insufficient parking. On-street parking is not available. To meet the parking requirement the applicant should either reduce the overall building sizes or reduce the amount floor area for restaurant use. Both variances could be eliminated by reducing the overall building sizes.

The attorney summarized his statements, which are attached to the Board Packet (on file).

Bapacker asked if there is a proposed tenant for Building C?

Attorney said no one has signed yet, but there is a lot of interest, there would be one restaurant of about 2,600 sq ft, at the northern end, but the remainder would likely not be restaurant. There would possibly be another restaurant in Building D.

Muflihi asked what type of restaurants?

Attorney said sandwich restaurants, Mexican-themed quick service restaurants.

Bapacker asked if it is all quick service.

Attorney said yes.

Green said we looked at the last request for this area, which was similar for setback and parking, it is self-limiting, since there is nowhere else to park, about a 13% variance; if you move one building closer to Ford Road you would likely want to move both to keep them with a contiguous frontage line.

Engineer said they cannot move the building, the reason is the delivery truck getting to the loading zone after entering the site, which is between the two buildings, that is only reason for pushing the building back.

Fadlallah said that was discussed at the Planning Commission hearing.

Bapacker asked if there was any change while you were constructing the road, you are developing the whole property and you built the road, if you had moved the road you would not have had an issue.

Engineer said they cannot move the road because it is facing the crossover on Mercury drive, so these locations are set.

Bapacker said he is not suggesting moving the road now, but asked when you first installed the road, was there a reason it was placed where it is versus another location, shifting a few feet or its width; when platting it you are looking at the entire project versus designing the road and then asking for a change later.

Engineer said it was designed at the front end.

Hammoud said perhaps you did not know the layout of the property when designing the road, or was there an overall site plan of the entire complex?

Engineer said he did not know.

Attorney said they still do not have all of the tenants, the road went in about a year ago, but the plans were approved in March 2025, and the plans have changed quite a bit with submissions to the Planning Department.

Bapacker asked if that was to do with the property itself, is there issues with erecting a building anywhere on the property, soil issues?

Attorney said what is unique about the site is the eastern end of the property it is all parking and bioretention basin; there are several utility easements that are several decades old with the original platting by Ford, that prevent building further east.

Engineer said those easements go from Mercury Drive to the face of the proposed building.

Green said you cannot sink footings there.

Engineer said with the businesses they will all have differing hours, for that size plaza it will balance itself.

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 request detailed below:

Section 29.02 Reduce the minimum required front setback from 50 ft to 40 ft 11 in.
Zoning requirement: F50 ft. Proposed: 40 ft 11 in is APPROVED (DZO 32.05, F.1. A, D, E).

Section 4.01 C 9 Reduce the minimum required number of parking spaces from 133 spaces to 115 spaces. Zoning requirement: 133 spaces. Proposed: 115 spaces is APPROVED (DZO 32.05, F.1. B, E, D).

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.

Adjournment

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

Meeting Adjourned: 6:30 p.m.