

City of Dearborn
Zoning Board of Appeals
Thursday, July 23, 2026
Minutes

Called to Order: 5:34 p.m.

Commissioners Present: Glen Green (Chair), Hassane Fadlallah (Vice-Chair), Samera Ajami (Secretary), Mona Hammoud, Afan Bapacker.

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

Approval of Minutes. Motion by Commissioner Bapacker, supported by Commissioner Fadlallah, that the minutes of the previous regular meeting of Thursday, June 25, 2026 are approved as recorded. Motion carried unanimously.

Appeal #26-115

13102 Michigan Avenue

Breneau mentioned the withdrawal of this appeal.

Appeal #26-111

Consideration of a request of Tarek Jaward, on behalf of Ford and Schaefer Holdings LLC, for variances to accommodate an automobile fueling station, the property size being approx. 60,900 sq ft, 1.35 acre, irregular shape, in the (BB) Community Business & the (VP) Vehicular Parking zoning districts:

5650 Schaefer Road

Breneau summarized the Staff report dated July 23, 2026. Factors to consider on the variance request: The applicant owns a 1.35-acre site at the northeast corner of Ford Road and Schaefer that houses a 13,455 sq. ft. (per assessing) one story building that was previously used for retail. Proposed is to remove 1,530 sq ft from the building and a change of use to an automobile fueling station with 12 pump stations, as well as retail and food services. The proposal is triggering two variances: one for parking and one for the distance between the curb openings along Schaefer. The proposal requires 102 parking spaces, while 93 are proposed. Staff generally believes that the code requires too much parking for gas stations, such as "double dipping" between the pumps and the retail. The widening of the curb opening is triggering the 75 ft distance requirement between curb openings. The vacated alley has become a private exit-only, right-turn-only curb opening, and despite increasing the distance between the curb openings, it is less than the 75 ft distance required.

Green asked if there is any concern with the curb opening and the traffic down Schaefer or on Ford Road.

Breneau said the curb opening that was the public alley will per the plans be exit only and right turn only.

Green said if we discount the gas station fuel pumps 1.5 to 1 we are still 3 spaces over, but we are also calculating 1 space per 90 for storage, so this puts us over on the calculation.

Breneau said the 1.5 spaces per pump contributes significantly towards the 102 spaces required, if we need one space per pump that leaves us 3 spaces deficient.

Green said the spaces are contained within the parking lots, we are not addressing on-street parking along Calhoun, correct?

Breneau said they are providing 93 off-street parking.

Green asked if there is parking along Calhoun?

Breneau there is not a designated lane.

Fadlallah said people do park there.

Breneau said correct.

Bapacker asked if this was going to be one commercial space or if there are multiple tenant spaces.

Breneau said there is a retail area and the tenant spaces will be food services.

Green asked if the alley is vacated up to the residential.

Breneau said only part of the alley has been vacated.

Zwayen said the alley is vacated, however an easement must be retained for utilities, on the site plan they wanted to leave it open and not close it, but with controlled traffic.

Hammoud said the parking calculation includes the tenant spaces, do we know what it is?

Breneau said the parking calculation is for all tenant spaces.

Hammoud asked what will be in the tenant spaces.

Applicant said it will likely be food services.

Joe Guido (architect) said they are relocating an existing approach further north, so they are increasing the distance in between approaches, as far north as we can take it because there is a row of parking, they are also eliminating one approach along Ford Road, the east approach; they are improving the traffic situation, there will be another approach on the north of the building that will be used for services, loading zone and dumpster access, relocating the dumpster from the VP zoning lot along Calhoun.

Hammoud asked if there are two entrances along Ford Road.

Breneau said there is one near Calhoun.

Green said he has no issue with it, it is probably the right thing to do, we need to improve the site, we need to emphasize the high parking requirement for the gas pumps, and with the reduction it leaves only three spaces short, we have likely on-street parking along Calhoun, we are improving access with the closure of the one approach and the widening of the other, we have overall improvements to the site plan and site management.

Public comment: None

Outside correspondences: None

RESOLUTION. Motion by Commissioner Ajami, supported by Fadlallah, 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 4.01 (C) (9). Reduce the required number of parking spaces from 102 parking spaces to 93 spaces. Zoning requirement: 102 parking spaces. Proposed: 93 spaces is APPROVED (DZO 32.05, F.1. G, J, L, M).

Section 7.02 (B) (5). Reduce the required distance between drive or curb openings along Schaefer Road from 75 ft. to 54 ft. Zoning requirement: 75 ft. Proposed: 54 ft is APPROVED (DZO 32.05, F.1. G, J, L, 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.

Motion carried unanimously.

Appeal #26-112

Consideration of a request of Devon O'Reilly, on behalf of The Henry Ford Estate, for variances to accommodate construction of a new detached pavilion building (covered picnic shelter with public restrooms, the property size being 17.1-acres, irregular, in the (RA) One-Family Residential zoning district:

1 Fairlane Drive

Breneau summarized the Staff report dated July 23, 2026. Factors to consider on the variance request: The site is 17.1 acres and is site is known as the Henry Ford estate home, which has a Certificate of Occupancy as a museum. Existing on the site is the mansion, a powerhouse, and a greenhouse. The site is zoned residential. Proposed is a

20 ft x 49 ft, 1,000 sq ft detached pavilion building (covered picnic shelter with public restroom) in front of the greenhouse. Among the rules for accessory structures is a 700 sq ft floor area limit and that it cannot be located closer to the front lot line than the principle building. The pavilion is set back 127.7 ft from Fairlane Drive, placing it closer than the mansion, which is setback 134 ft. This site is unique in its quasi-public, institutional, park-like use, which has no expectation of private back yard spaces, and its isolated wooded location.

Green asked about residences in the immediate vicinity that are for sale or lease.

Breneau said it is pretty isolated, there is a residential neighborhood on the other side of the Rouge floodplain.

Applicant said there are none within view of the mansion or the proposed shelter.

Green asked if the proposed facility will be open only when the museum is open.

Applicant said yes, and they are extending their hours.

Bapacker asked why it is RA zoning.

Breneau said it is a unique type of use.

Green said it is great idea and has no issues.

Public comment: None

Outside correspondences: None

RESOLUTION. Motion by Commissioner Ajami, 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 2.03 C 3. Increase the permitted detached accessory building size from 700 sq ft to 1,000 sq ft. Zoning requirement: 700 sq ft. Proposed: 1,000 sq ft is APPROVED (DZO 32.05, F.1. B, C, G, M).

Section 2.03 C 2. Waive the requirement that the location of the proposed detached accessory building shall not be located closer to the front lot line than the principal building. Zoning requirement: A detached accessory building shall not be located closer to the front lot line than the principal building. Proposed: The proposed detached accessory building is be located closer to the front lot line than the principal building is APPROVED (DZO 32.05, F.1. B, C, G, 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.

Motion carried unanimously.

Appeal #26-113

Consideration of a request of Khalil Dabaja for variances to accommodate construction of a 4-story mixed-use building with a first-floor café and flex space, second- and third-floor offices, and a fourth-floor private lounge, the property size being 8,120 sq ft, 70 ft wide, 116 ft deep, 0.19-acre, in the (WD-UG) West Downtown District, Form Based Code, Urban General, Required Storefront zoning district:

22190 Michigan Avenue

Breneau summarized the Staff report dated July 23, 2026. Factors to consider on the variance request: The corner site is 70 ft wide, 116 ft deep 0.19-acre and vacant land. The site is in the West Downtown subject to the rules of the Form-Based code. Proposed is new construction for a 4-story mixed-use building with a first-floor café and flex space, second- and third-floor offices, and a fourth-floor private lounge. The proposed building does not have required the 10ft built-to along Howard and has a nonconforming 0ft rear setback. The site is 70 ft wide. The required 10 ft build-to would leave a 60 ft-wide building. The site is 116 ft deep. A conforming rear setback would leave a 10 ft wide dead space behind the building and trigger a variance for the 85% build-to frontage.

Staff is recommending approval of this request.

Green asked how long it will take.

Designer Ghassan Khalaf said they are ready to start work, they need to submit for foundation permits, it will take some time for the construction documents.

Bapacker said the food service area, that's along Michigan Ave.

Applicant said yes, a café, there is a ten ft setback along Michigan Avenue for a patio.

Hammoud said along Howard it aligns with the building behind it.

Applicant said yes, it is on the property line, otherwise we have to go ten ft in, it is a very narrow lot.

Green said the design of the building is in keeping with the buildings around it, the intent and the neighborhood character we are trying to maintain.

Public comment: None

Outside correspondences: None

RESOLUTION. Motion by Commissioner Ajami, supported by Fadlallah, 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 27.04 A. Waive the required build-to (setback) from 10 ft to 0 ft along Howard Street. Zoning requirement: 10 ft. Proposed: 0 ft is APPROVED (DZO 32.05, F.1. H, J, M, N).

Section 27.04 A. Waive the required rear yard setback from 10 ft to 0 ft. Zoning requirement: 10 ft. Proposed: 0 ft is APPROVED (DZO 32.05, F.1. H, J, M, N).

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.

Hammoud left the meeting to recuse herself from the next request.

Appeal #26-114

Consideration of a request of Linda Askar for variances to allow renovations to an existing single-family house, the property size being 15,400 Sq. Ft., 110 ft x 140 ft, 0.35-acre, in the (RA) One-Family Residential zoning district:

180 Golfcrest Drive

Breneau summarized the Staff report dated July 23, 2026. Factors to consider on the variance request: The 0.35-acre property was developed with a 1,608 sq ft one-story house with a two-car attached garage built in 1953. The City's Zoning Ordinance requires off-street parking for residences in the form of two cars parked side-by-side within a garage. The property has a conforming two-car garage which meets the ordinance requirements. The existing conditions of the garage and the home are from work that was done without permit. The proposed renovations to the existing house included removing the intended use of the existing garage to expand the house gross floor area, which is prohibited. The proposed two-car park location over a concrete pad within the required side yard is not permitted and is considered a deviation from the City's Zoning Ordinance. The applicant could have expanded the house to the rear for additional gross floor area instead of removing the garage for additional home space. Staff is unaware of any characteristic of the property that creates a practical difficulty warranting this request, and any practical difficulty that may exist is self-created due to the work without permit.

If this appeal were approved, this would be in conflict with the numerous ordinance standards referenced within this memo that require adherence to the two-car garage requirement for conforming properties. If this appeal were approved, it would create significant issues with then not approving similarly-situated cases. This is in addition to concern about this specific proposal not aligning with variance criteria such as promoting orderly development or being consistent with neighborhood character.

Recommendation: Based upon the abovementioned facts and analysis, the Economic Development Department recommends denial of this request.

Zwayen said the project is in the permitting process and not all comments have been finalized with Building and Engineering, so depending on the outcome of this hearing the applicant will still need to work with these other divisions, but the reason for this hearing tonight is there is a request to be in front of the Board for the work that is being done without proper permits.

Green asked if the work is going on now.

Applicant said she did have a permit when she started working, and it was addressed with members of the Building department, who came to the home and told her to get a structural engineer on site immediately, and she has an approved permit from March, which the Board members can see on line.

Ajami asked when she started construction.

Applicant said April 6, when she asked the Building department to print her permit, but the BSA permit system was acting funky so she was told to return later.

Ajami said it shows she entered her information.

Various Board members said they saw the permit was approved.

Applicant said she has permits for various projects and printed them.

Green asked if she has a description of what the permit was for.

Applicant said it was for residential renovation.

Green said there should have been a plan behind it.

Applicant said if you pull up her file she submitted numerous plans.

Green said and the original plan was to convert the garage into living space.

Applicant said yes and she has emails from the Building department and the enforcement department this has been a long time coming, there are permits that have been approved. (She handed the Board papers.)

Fadlallah asked if there was a stop work posted.

Applicant said on April 24 Mr Connolly and Mr Shannon came to the property and she showed them the basement, because it was very weird; she purchased the house at the end of last year, and had a tenant in there, who left the house due to a heart attack; when she went into the house everything was broken, the slab in the garage was broken, so was the garage door, she cleaned the house and had dumpsters, there was cement, dirt; when the city reopened she noticed the permit was not printable, she called the city, who said there was no permit, and she spoke to the Building department, and apparently

the permit was not valid; the Building department saw the basement and told her to hire an engineer, and she talked with a few, and she resubmitted permits with structural status; she had no idea a driveway was not considered parking, she thought with her conversion she could park in the driveway; each time she submitted plans new issues arose, such as an egress window and landscaping; she proposed a two-car garage, but it was rejected due to setback, after a few more tries with the garage she proposed a parking pad because it does not need a setback, she cannot park in the back due to an existing pool.

Green asked so there was basement under that garage.

Applicant said yes.

Engineer George Moussa said he did the evaluation, it was a Michigan basement under the garage with 5 ft, when she bought the house all the concrete was broken, it was never used as a garage, the code is now 6ft 8in headroom for the basement, there were tiles under the garage, a previous engineer said the foundation was 5 ft structural walls, to strengthen the old walls and it was not finished completely as a Michigan basement, they put another 8 inch CMU wall to strengthen the existing foundation wall, they verified the foundation, so a perimeter wall was built around the garage, the garage is 2 ft below the first floor level, so you cannot use it as a basement, they raised it to 8 ft, so the garage will not be a garage anymore, it was not a garage, it cannot be used as a garage with space below it, so the decision was to remove the garage; you cannot have old foundation to be crumbling in the future, the garage was raised to the same height as the house floor.

Ajami asked if they received anything from the inspector saying it needs to be demolished.

Applicant said they thought they had dug up the garage, she told them the dirt they were seeing was from the back yard, there were broken pavers, the whole house was in bad shape, the garage door was broken.

Ajami asked if there was anything saying the foundation wasn't secure.

Applicant said the Building department said to get an engineer, and she got a list from the Building department, and she called them, but got no response, and another engineer said you don't need to demolish the house, we can fix it, and the engineer talked it out with the Building department, who told them they need a two-car garage, and she asked the Building department for a review submitted by the engineer and they refused.

Ajami said emails to the Building department do not have responses.

Applicant said they do not answer and there was a stop work order for permitted work on a fence.

Green said someone from Building should have been at this hearing.

Fadlallah asked if there was a stop work order on the house, because he has never seen it, a he visits a friend next door a lot.

Applicant said today, and when she let the Building department in and they stopped her work on approve plans.

Ajami said if she cannot have a garage there and she wants to keep it as a pad; can she do a canopy.

Applicant said she tried.

Ajami asked where the garage was, she extended the house?

Green said they use the garage as home because they cannot use it as a garage.

Applicant said the garage was a broken slab, so it was just storage, and the engineer said it cannot be used to park cars.

Ajami said you would have to make it structurally sound to use it as a garage.

Green said it was a Michigan basement so they had to raise the floor, so you cannot use it as a garage.

Applicant said for the last fifteen years you could not park a car there without collapsing.

Ajami asked what is the issue with the pad.

Applicant said you can have a pad, but it has to be in the rear, and there is no room in the rear.

Green said there are plenty of other homes in the area where they have built the garage so that it looks like the frontage of a house, the entrance is on the side and there is a pad for access to the garage, aesthetically it looks no different from those.

Applicant said she spoke with her neighbors, and no one had a problem with it, she has signed documents.

Fadlallah said no one is opposing it.

Engineer said the house is now structurally safe and sound, and he submitted a report, he always works with the city.

Green said so we just need Building to buy off on the report.

Applicant said the only feedback she got from the city was not based on the engineer's report, but it was for landscaping.

Zwayen said the focus here is on the variance request, but there are numerous work without permit notices issued, from April until today, there are no permits approved, if there was a permit approved Planning and Zoning would have reviewed it.

Green said she has a document saying it was approved.

Green said if this was still a garage and the entrance was on the side you and poured concrete there for access it looks identical to other houses in the area, so it is in keeping with the aesthetic of the neighborhood; it provides substantial justice in this case, there are a lot of issues going on, but to focus on the variance itself, it is in keeping with what the Board would do regardless of the other details.

Bapacker said there is an issue with the basement under the garage.

Green said Building can work that out, they will either permit that or not.

Breneau said that quite often when someone is having work done on their house there are multiple permits involved, such as fence.

Ajami said and you have to have them posted on the house.

Zwayen said as a reminder the house was conforming with a required two car garage, and they are creating a nonconformity, while providing two parking spaces, it is not within an enclosed garage, there is some flexibility with the zoning code, such as having the parking pad, but it needs to be in the rear, we are looking at two provisions, one for being within an enclosed garage and one for the parking space in the side yard.

Bapacker asked how is it conforming if it cannot be used as a garage?

Green said from a safety perspective it is collapsing.

Breneau said it was built as a house with a conforming two-car garage.

Bapacker said if she had used it as a two-car garage there would be cars in the basement, you cant make it conforming, it meets the practical difficulty, the space below the garage do you fill it with concrete?

Breneau said sometimes what happens if there is something that is structurally breached it can be due to lack of maintenance and nothing to do with the original structure of the house.

Zwayen said Planning and Zoning has not received any report about the practical difficulty of the structure.

Public comment: None

Outside correspondences: None

RESOLUTION. Motion by Commissioner Ajami, supported by Commissioner Fadlallah, 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:

Sec. 4.01B 2 & Sec. 1.03. Waive the requirement for two cars to be parked side-by-side within a garage and permit an open parking pad within the side-yard. Zoning

requirement: two cars to be parked side-by-side within a garage. Proposed: an open parking pad within the side-yard is APPROVED (DZO 32.05, F.1. A, B, D, E, H).

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

2027 Meeting Schedule.

Green said he has no issue with the proposed schedule.

Ajami asked when the two Eids are.

Breneau said he coordinated the schedule with the holidays, including the two Edis, as well as Planning Commission.

Approval of 2027 Meeting Schedule. Motion by Commissioner Green, supported by Commissioner Bapacker, that the 2027 Zoning Board of Appeals meeting schedule is approved as presented. Motion carried unanimously.

Adjournment

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

Meeting Adjourned: 7:00 p.m.