City of Dearborn
Zoning Board of Appeals
Thursday, August 27, 2026
Minutes

Called to Order: 5:34 p.m.

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

Technical Advisors: David Breneau, Zoning Administrator; Nolan Kukla, Assistant Planning and Zoning Manager; Yassmen Sobh, City Attorney.

Approval of Minutes. Motion by Commissioner Fadlallah, supported by Commissioner Ajami, that the minutes of the previous regular meeting of Thursday, July 23, 2026 are approved as recorded. Motion carried unanimously.

Approval of Minutes. Motion by Commissioner Fadlallah, supported by Commissioner Ajami, that the minutes of the special meeting of Thursday, July 30, 2026 are approved as recorded. Motion carried unanimously.

Appeal #26-117
Consideration of a request of Ali Nasser, on behalf of Amnasser Investment Group, for variances to accommodate construction a new four-story mixed-use (retail and residential) building, the property size being 99.93 ft wide, 178.26 ft deep, 17,814 sq ft, 0.41 acre, in the (WD) West Downtown - Form Based Code: Urban Mixed-Use zoning district:

22210 Garrison Street

Breneau summarized the Staff report dated August 27, 2026. Factors to consider on the variance request: The vacant site is on the northwest corner of Garrison and Howard Streets and is 0.41 acres. It is located 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 first-floor retail and second through fourth floor apartments. The proposed building does not have required the 10 ft. dooryard / build-to (setback) along Howard Street and the proposed amount of building along its build-to frontage along Howard Street is deficient. The proposed dooryard along Howard Street is a first-floor recessed area, with the upper floors cantilevered over it with support arches. The conforming 10 ft. dooryard / build-to (setback) along Garrison Street and the conforming 50 ft. rear setback from residential both contribute to the deficient building frontage along Howard. It is isn't possible for all code requirements to simultaneously be met at the same time. The building across Howard Street to the east conforms with the 10 ft. dooryard / build-to requirement, unlike the applicant's proposed dooryard / build-to along Howard (pattern of development).

Breneau also added that there are overheard utilities within the Howard Street right of

way on the applicant's side.

Green asked if the entrances along Howard are inset.

Breneau said yes.

Green said so you can put tables and chairs in front of the storefronts; do the recesses meet the ordinance requirement?.

Breneau said the pillars are at the lot line and the storefronts are recessed about 8.5 ft from the lot line.

Hammoud clarified the columns are on the property line.

Green said the patios are 8.5 ft by the width of the storefront.

Applicant's architect (Najim Saymuah) said we are looking at two variances; the first is inherent with the code requirements, the code requires that along Howard at least 75% of the frontage be built, so if a lot is 100ft then the building needs to be 75 ft, with the variance they are building less than 75 ft, and the reason for this is that the ordinance requires that we are set back 50 ft from the residential, the owner wants to do more than 75 ft, but the code will not allow him, this is not created by the client or by the design, this is something inherent in the code, there is a conflict in the code, this is a property that is 178 ft, we need to be set back 40 ft, so we cannot meet the 75%.

Kukla said there is also the 10 ft in the front.

Breneau said with the ten ft in the front and the 40 ft in the rear you cannot meet all of the requirements, that is pertaining to the build-to frontage, how much building is required said

Fadlallah asked how many feet are we from the residential home.

Architect said on the first floor we are 40 ft and the upper floors we are 50 ft, because that is what the code also requires.

Architect said for the second variance there is no violation on the Garrison side and the request is only related to Howard, that being the dooryard requirement, the façade needs to be 10 ft from the sidewalk; the way the building is designed most of the first floor is set back 10 ft, what we attempted to do in the design is to create a colonnade, the intent here is not at the expense of the Ordinance, they do not want to expand the building, the intent is to comply with the spirit of the downtown Ordinance, and the urban environment; the colonnade creates a walkable area and responds to the requirements of the downtown.

Green said to that end the columns, if I am looking north from Garrison can I see straight through?

Architect said yes, the colonnade extends to the bumpout, as for the bumpout at the north end, this gives the building some definition, so if you go by the Ordinance this would

be flush with no projections, no design.

Green said it give a visual protection to the neighborhood in that it blocks seeing into it, protecting the neighborhood from the commercial setting, you are meeting the intent, it is a good design.

Hammoud said so the first ten ft from Garrison, it is free of columns, it is just an open ten feet.

Architect said yes, the building starts ten ft from Garrison, and then it is ten feet more with the short leg of the L.

Fadlallah confirmed with the architect that it is first floor retail and upper floor apartments. He asked how many apartments, and how many stores.

Architect said 30 apartments, and the retail is variable, depending on how much space a tenant needs, it is about 4,000 sq ft total.

Fadlallah said so 4 stores at 1,000 sq ft each.

Architect said he wanted to food services at first, but that was shot down, so now it is all retail.

Hammoud asked why.

Applicant said it is city code.

Hammoud asked if the neighbor to the west wanted to do the same kind of structure, how would that affect the windows.

Architect said the code speaks to that, it said any opening on the property line has to be fire rated, so we don't have any openings on the property line, but you can have openings 5 ft back, so all the openings are pulled back, so if the owner next door wanted to build they would have to build in kind to this design.

Kukla said regarding the restaurants, they require Planning Commission approval in this zoning district for Special Land Use, and another issue was how many restaurants would be supported in the building with sanitation capacity, so the applicant chose at some point to do all retail.

Hammoud said they need Planning Commission approval for a restaurant in the downtown?

Breneau said it depends on which subdistrict, it is the Urban General that does not require Planning Commission approval for a restaurant, but this is Urban Mixed Use, which does require it.

Applicant said if a tenant wants to do restaurant it will be up to them to apply.

Public comment:

Linda Sisner, who lives in the house behind the applicant's property, said she has lived there for 35 years; part of the problem with this project is it was not approved by City Council, and she received no notice that Council was reviewing it; she did received the ZBA notice, but was told she needed to file a FOIA to get information, but she did get the materials and reviewed it; the variance request seems like an end-run around what the City Council already rejected; this project is overbuilt, the building covers almost the entire lot, there is nothing comparable in the neighborhood that matches this, regardless of whether the code allows it, it is too much, it is not in character with the surrounding community; as has been pointed out, every other building has setback, every other building has landscaping; along Howard there is no easement, no grass, only sidewalk; when Dutch Elm killed trees the city removed them and widened the street, when the city plows snow, it covers the sidewalk, so we will have pillars at the property line and a sidewalk that will be covered in snow, if cars park along here the snow will not be cleared, the developer cleared all of the mature trees from the lot; and there is no parking, where will 30 residents park, and 4 retail stores and their employees; we are already overbuilt, the parking lots are full, and people park on the streets, and here we will have 30 to 60 cars, plus the retail tenants and its activity; people use Garrison as a bypass, so there is already congestion; this has been a growing problem for years and we can't absorb the capacity; there is another nearby apartment building with grass, trees, setbacks, and a parking lot; the packet says the areas is commercial, but there are families in residential buildings; the buffer area behind the building, it has entrances for the tenants, a dumpster, it is an active driveway, with daily trash pickup at 7am, deliveries, it is not a buffer, planting a few bushes does not make it go away; it is overbuilt for the neighborhood and built on greed; she wants the Board to deny.

Green said there are two variances, but the other issues have been addressed, such as parking.

Breneau said this is within a parking exempt zone, so if you are within a certain distance of public, then you do not have to provide off-street parking.

Green said if you have a development that will require 100 more spots, which nearby parking cannot accommodate this, what do we do, did anyone look at this.

Kukla said per the Code anything with 300 ft of public parking does not have to provide parking, so the parking requirement is 0 and we cannot uphold them to another standard.

Green asked if Planning reviewed this.

Kukla said it went thru site plan review, which means several departments reviewed it for a comprehensive review, and it meets all code requirements except for the two variances.

Green said so it meets landscaping requirements.

Kukla said yes, there are requirements for abutting residential, there are trees in the back, which meet the requirements.

Green said is there a wall.

Ajami asked what type of building is next door, is that a doctor's office, were they required to have those parking spaces.

Breneau said it was built before the current zoning code.

Ajami said are they expecting the residents to park in the parking lot.

Breneau said there is the lot across the street and there is on-street parking.

Ajami said will they have assigned spots, if we are having an apartment building then it would make sense to have assigned parking with the tenants paying for it.

Green said you have 30 units, so you will likely need 45 to 60 spaces, undesignated, and it will be a free-for-all trying to find parking.

Kukla said that is what the Code requires, there are other apartments buildings in the west downtown that are like that, such as the lofts near the Peace Park, they do not have private parking.

Green said they have two garages.

Ajami said what is difficult in making a decision is that the request is for the setbacks and not the parking, and she is inclined to table it to get more clarification.

Applicant said there are 22 spaces along Garrison in front of the project.

Ajami said those spaces are being used by customers and the community, perhaps restaurant patrons. She asked what will make that available for the tenants.

Applicant said the commercial customers can use the parking lot, and the 22 does not include Howard or Morley.

Ajami said the residential already on Garrison use those spots, and you can't take them away.

Applicant said there is no residential on Garrison.

Muflihi asked about the business hours.

Applicant said that will depend on the tenant, sometimes when he goes through the area the parking lots are empty.

Architect said it could be tabled; the Ordinance was created taking parking demand and the urban area into account; the parking will not affect this project; what is before the Board is the two variances, the parking is an issue bigger that this project, there was a study done in the making of the Master Plan, which designates this areas for commercial, you can table this, but the parking does not affect this project.

Kukla said if you are making a motion to table we would need to know what information the Board wants for its decision making, but the parking requirement is 0.

Ajami said we can only look at the variances in front of us and can't look at something not in front of us.

Walter Baumgarner, 22197 Morley, at Howard, said 6:30 am is when garbage collection starts for the commercial, and it is noisy, and the plan has a dumpster next to a house; and he used to work for Council and when an Ordinance is passed it is expected to be followed, and the applicant has not stated a reason for why variances should be granted, other than they don't like the Ordinance and they want to build more; there is no reason why this building cannot be designed to meet the Ordinance setback; the building across the street is only two stories, and this will be the only 4-story on this side of the street. He said he wants the Board to deny.

Green said one of the variances is for a build-to frontage, which is a catch-22, in that you cannot meet one Ordinance without breaking another; this has nothing to do with the 4-story, which the Ordinance allows.

Hammoud said if they follow the Ordinance rules, they would likely end up with a very similar building; they are here because of the setback, if they comply with the Ordinance they can still buld the building without having to come to the Board.

Baumgarner said with the parking…

Green said the parking is not an issue, the Board cannot control it, that is City council, it has been reviewed with the development of the Master Plan, parking is off the table because we know we fall short of parking.

Baumgarner said it is permit parking for residents only.

Hammoud said the parking situation is part of urban living.

Nancy Harmon, the President of the Morley Association, said she agreed with Linda; the Association worked with the City on the Form Based Code from 2019 to 2023, they spent a lot of time working with City Planning on the area, which is a transitional area, there are offices in the area, which close at night, they are concerned about business encroachment into their walkable neighborhood, which most people understand unless you are a new city official who does not understand this or a developer who wants to overbuild, the Form Based Code for Garrison was developed to make for predictable, walkable, human-scaled transition to the neighborhood, with setbacks; this is the first building for this area since the Form Based Code and it is disappointing that the setbacks cannot be adequately designed, this sets a precedent, now everyone is going to base their design on their variances. She said she wants a walkable downtown, not overbuilt.

Linda Sisner said she did not receive notification about the City Planning Council meeting when this was discussed.

Kukla said it went through administrative site plan review, which is an internal review to make sure it meets all code requirements, and it did not require Planning Commission; it

would have required Planning Commission if it were something like a rezoning or an alley vacation.

Nancy Harmon said there is a reason there is no restaurant there because the neighborhood does not want one there because they are open late and generate late-night noise, and there is a problem with rats.

Kukla said if a restaurant were to go in here it would require a public hearing for Special Land Use.

Architect said the fact that there are two variances listed here is misguided, the first is related to the code, if they were to meet it then the building would be closer to the house, it has nothing to do with the client or the designer; the variance that we are focusing on is the doorway, they provided it by the colonnade, there is a portion of the building that comes to the sidewalk, which is about 20ft, and the reason the columns are at the sidewalk is to support the second floor; the upper floor façade is not flush, it goes back, and we are building concerns about things that are not on the plans.

Breneau said the built-to line is for the entire building, including the cantilevered part.

Outside correspondences: Three outside correspondences, two emails (on record) and a phone call expressing concerns

RESOLUTION. Motion by Commissioner Fadlallah, supported by Hammoud, 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 C. Reduce the minimum required build-to frontage along Howard Street from 75% to 67%. Zoning requirement: 75%. Proposed: 67% is APPROVED (DZO 32.05, F.1. A, D, E).

Section 27.04 C. Reduce the required dooryard depth from 10 ft to 0 ft along Howard Street. Zoning requirement: 10 ft. Proposed: 0 ft is APPROVED (DZO 32.05, F.1. A, D, E).

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:

Green: No
Fadlallah: Yes
Ajami: No
Muflihi: Yes
Hammoud: Yes

Motion passed

Green said with the number of these projects that are coming to the Board we need to address parking; there had been discussion about a parking deck on the north side of Michigan Avenue; while parking can be self-limiting there will be businesses closing.

Breneau said perhaps there is a need to look at amending the parking in the Code; there was discussion about an arrangement with the Imam building.

Kukla said there was a recent study done as part of the Master Plan update, which said there is a surplus of parking, but it had recommendations, which we can review.

Appeal #26-118
Consideration of a request of Kevin Deter, on behalf of Dearborn Retail Management III, LLC, for variances to accommodate erection of wall signage, the property size being 8.7 acres (plaza), irregular, in the (WD) West Downtown - Form Based Code: Urban General zoning district:

23000 Michigan Avenue

Breneau summarized the Staff report dated August 27, 2026. Factors to consider on the variance request: The 8.7-acre site is a plaza located on Michigan Avenue and Garrison Street within the West Downtown District – Form Based Code. Proposed is to erect wall signage for a personal fitness center opening in the westernmost tenant space. Signage is comprised of the name Vasa with nonconforming 5 ft-high lettering and the logo V with nonconforming 9 ft height and 5 inch thickness. The wall is 300 ft from the front property line. The overall configuration of the property, the roads, and the placement of other properties may obscure visibility of the subject property and proposed signage. The plaza has a pole sign at Michigan Avenue and another one at Garrison Street at the main parking lot entrance. The applicant also has proposed signage for these sign structures.

Applicant said we feel this sign is appropriate due to the large storefront, it is over 280 ft wide, and there is 350 ft between the building and the road, and the angle of Michigan Avenue, these make a conforming sign much harder to read; it would be very difficult to read this sign from Michigan Avenue; if it had two foot letters, for someone who does not know exactly what to look for, and you would not be able to see it before you drive past it on Michigan Avenue; we don't believe it is a safety hazard or a traffic concern; there are similar signs in the area, such as Belle Tire and Staples across the street.

Green said we have had these issues in the past distinguishing between what is a logo and what is a letter.

Breneau said it was determined a few cases ago (for Zo's Good Burger) that a logo was determined to be a letter, and there were likewise variances applied to the logo.

Green said he is okay with the sign thickness, you don't want something that sticks out far enough to become a canopy, with the height requirement, you would think there

would be something in the code saying "in proportion to the building frontage" rather than a specific size, and based on the proportionality he is okey with the sign.

Breneau said this is in the downtown and the code was written for the downtown and we believe the main issue is the distance involved.

Ajami said the concern with the thickness was birds nesting.

Green said with the letter size the greater thickness makes sense.

Applicant said there are far more LEDs in the V than the other letters, so if the thickness was only 3 inches you would start to see the LED modules and the V would appear brighter than the rest of the sign.

Green said the Ordinance does not consider the technology requirements.

Public comments:
Claudia Meyer, 22700 Garrison in the Dearborn Towers, said her concern is the increase, there are issues with traffic and distractions, the Kroger sign was smaller, you don't need to make it a circus with lighting affects; we want a classy west end, the women's athletic center is classy with solid letter signage.

Green said it is internally lit just like the Kroger sign, it will be a glow.

Meyer asked if they have signs on the poles by the street, do they need the bigger signs on the building.

Green said one of the things we look for is whether it is in keeping proportionally with the building, and other communities have restricted sign sizes so they have signs that you can't read from 300 ft.

Hammoud asked if the sign company is required to do a photometric plan.

Applicant said everything is industrially standardized, so no.

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:

Section 27.06 D4. Waive the maximum permitted letter height for the proposed letter sign (VASA). Zoning requirement: 24 inches. Proposed: 60 inches is APPROVED (DZO 32.05, F.1. F, J, L).

Section 27.06 D4. Waive the maximum permitted letter thickness and letter height for the proposed letter sign (logo V). Zoning requirement: 3 inches thick, 24 inches height. Proposed: 5 inches thick, 108 inches height is APPROVED (DZO 32.05, F.1. F, J, 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.

Adjournment

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

Meeting Adjourned: 7:10 p.m.