



ZONING BOARD OF APPEALS MEETING  
Wednesday, June 7, 2023 – 7:00 p.m.  
City Hall

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## AGENDA

1. Roll Call
  - A. Define Participating Members
2. Minutes of Previous Meeting of August 3, 2022
3. Minutes of Previous Planning Commission Meetings are available for review on our website [www.farmgov.com](http://www.farmgov.com) – May 2021 through May 2023.
4. APPEAL OF: Steven G. Schneemann  
33300 Thomas Street  
Farmington MI 48336

1.

A variance from the requirements of Chapter 13, Section 13-8 #2 of the City of Farmington Code of Ordinances, which states in part;

*Height.* No fence may exceed six (6) feet two (2) inches in height measured from the surface of the ground to the highest point of the fence. Supporting posts may measure six (6) feet four (4) inches; provided, that where a fence extends in front of a rear building line, the height above ground shall not exceed four (4) feet.

The request stems from of a grade difference between the Residential lots and the Commercial Property to the south, the applicant is seeking a 2' variance. This would allow a total fence height of 8' feet -2" inches as viewed from the residential (north) side.

This is a Public Hearing and comments may be directed to the Board during the meeting. When replying by mail, write your comments on the back of this notice and address it to the City of Farmington, Board of Zoning Appeals, 23600 Liberty Street, Farmington, MI 48335. All written comments will be read at the meeting and become part of the record.

5. Public Comment
6. Adjournment

## BOARD OF ZONING APPEALS MINUTES

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, August 3, 2022 in Council Chambers, 23600 Liberty, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Aren called the meeting to order at 7:00 p.m.

### ROLL CALL

- PRESENT: Aren, Crutcher, Schiffman, Gensheimer
- OTHERS PRESENT: Building Official Jeff Bowdell, Kate Knight (DDA Executive Director), Jess Westendorf (DDA Staff), David & Wina Evancoe (Jeera Properties)

**MOTION by Crutcher, SUPPORTED by Schiffman, to approve the minutes of June 2, 2021. Motion carried, all ayes.**

**MOTION by Crutcher, SUPPORTED by Schiffman, to receive and file the minutes of previous Planning Commission Meeting for May 2021- June 2022. Motion carried, all ayes.**

**Review and discussion of the appeal of:** City of Farmington DDA, Applicant (23600 Liberty Street Farmington, MI 48335) **AND** Jeera Properties, LLC (23623 Farmington, MI 48336)

- Request for a variance to Sec. 25-9, Sign Regulations for Nonresidential Properties, Table 25-09, Wall Sign (A), Maximum Area in Downtown Farmington to allow a 360 sq. ft. graphic on the north wall along an access drive off of Farmington Road. Ordinance allows 10% of the wall up to maximum 100 sq. ft. (360 sq. ft. – 100 sq. ft. = 260 sq. ft. variance). In addition, the applicant requests a variance to Number Permitted (i) of allowing 1 wall sign per parcel as this graphic is for community purpose-not for a tenant.
- Area of proposed mural is approximately half of 600 ft<sup>2</sup>, (60ft x 12ft) / 2= 360 ft<sup>2</sup>

Overview of DDA Public Art Blueprint mission and mural project by DDA Director Knight.

The public right of way between SIPP and Wina's will be closed with Farmington Road Streetscape project. DDA Public Art Committee and Design Committees have met to discuss methods of activating this new public space including this mural as a priority. This elevation was identified by the community in February 2020 as a premier location for public art at Downtown Farmington's Heart the Art Event. Knight shared painted rendering and detail examples of the mural.

ZBA Discussion of appeal

- Schiffman clarified that if accepted this variation would be granted through the DDA and any change in the approved mural would need to be reapproved by the ZBA.
- Crutcher clarified that the graphic would be applied to the existing paint

MOTION by Schiffman, SUPPORTED by Crutcher, that the Request for a variance to Sec. 25-9, Sign Regulations for Nonresidential Properties, Table 25-09, Wall Sign (A), Maximum Area in Downtown Farmington to allow a 360 sq. ft. graphic on the north wall along an access drive off of Farmington Road be granted for the following reasons and findings of fact. This variance for a painted wall sign is for "Public Art " only it is understood that if there is a change by either party to the terms of the agreement between the property owners (Jeera Properties) and the Farmington DDA, the Farmington DDA will have the sign removed and the building wall restored to its present painted condition. Further any change to the graphic content, size etc. will render this variance void, and therefore any new proposal for "Public Art" would come back for approval through the ZBA and if the tenant or DDA should remove the mural, a new variance approval through the ZBA will be necessary.

1. That the Applicant has shown a unique circumstance in that the mural will be located in the downtown and meets the goals and objectives of the DDA.
2. That the Applicant has shown a unique circumstance in that the mural will be placed near the library where the history of Farmington is stored.
3. That a unique circumstance exists in terms of what the scale and mass of the sign are intended to be of such size that it will effectively identify and advertise and represent the community.
4. And that a practical difficulty exists as the building already has the maximum number of signs per ordinance.
5. And that a practical difficulty exists as the DDA is not a tenant of the building and therefore can't meet ordinance requirements
6. This is not a variance for a sign but instead is variance to allow for "Public Art" as described by the DDA's Public Art committee and the variance request will not run with the land in perpetuity but instead runs for the life of the displayed public Art.

Motion carried, all ayes.

**MOTION by Schiffman, SUPPORTED by Gensheimer to adjourn. Motion carried, all ayes.**

www.farmgov.com

33720 West Nine Mile Road  
Farmington, Michigan 48335



Public Services Department

Telephone 248-473-7250  
Fax: 248-473-7279

June 5, 2023

City of Farmington  
Zoning Board of Appeals

**VARIANCE REQUESTS: Ch. 13 Sec. 13-8 #2 Fence Regulations for Residential Properties**

**ZONING: CBD, Central Business District**

Dear Board Members:

Steven Schneemann, on behalf of the owner Chuck Allore, has submitted a variance request in accordance with Article XIII of the Farmington City Code.

The applicant is requesting a variance to Ch. 13 Sec. 13-8 #2 Fence Regulations for Residential Properties. The request stems from a grade of difference between the Residential lots and the Commercial Property to the south, the applicant is seeking 2' variance. This would allow a total fence height of 8' feet -2" inches as viewed from the Residential (north) side.

Sincerely,

Jeff Bowdell  
Building Official/Code Enforcement

JB:jl

Attachments



# CITY OF FARMINGTON

*For office use only*

Date Filed: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

## Board of Zoning Appeals Application

1. **Petitioner Name** Steven Schneemann

2. **Location of Property**

Address 33300 Thomas Street

Cross Streets Thomas bet. Farmington & Warner

3. **Identification**

**Applicant** Steven Schneemann

Address 33215 Oakland Avenue

City/State/Zip Farmington, MI 48336

Phone 248-321-9800 Fax \_\_\_\_\_

Interest in the Property (e.g. fee simple, land option, etc.)

9 Property Owner 9 Other (Specify) Neighbor

**Property Owner** Chuck Allore

Address 33300 Thomas Street

City/State/Zip Farmington, MI 48335

Phone 248-921-6205 Fax \_\_\_\_\_

**Preparer of Site Plan** S3 Architecture, PLLC

Address 33610 Grand River Avenue

City/State/Zip Farmington, MI 48335

Phone 248-321-9800 Fax \_\_\_\_\_

4. **Property Information**

Zoning District CBD Area \_\_\_\_\_

Width \_\_\_\_\_ Depth \_\_\_\_\_

Current Use Office

**5. Appeal Request**

Indicate grounds for appeal & complete additional section, if specified:

	Specific appeal request type (pick one)	Consult Zoning Ordinance Section	Complete Additional Application Section
<input type="checkbox"/>	<b>APPEALS</b> from any order, requirement, decision or determination made by the Building Official, any administrative official or administrative body where it is alleged that there was an ERROR OR MISINTERPRETATION.	18.04 A.	<b>Section 6.</b>
<input type="checkbox"/>	MAP INTERPRETATIONS	18.04.B.	<b>Section 6.</b>
<input type="checkbox"/>	TEXT INTERPRETATIONS	18.04.C.	<b>Section 6.</b>
<input type="checkbox"/>	NON-CONFORMING SITUATIONS	18.04.D. & Article 17	
<input type="checkbox"/>	HEIGHT MODIFICATIONS	18.04 E.	
<input checked="" type="checkbox"/>	<b>VARIANCE</b> from the strict application of the provisions of the Zoning Ordinance; specify type:	18.05 A.-D.	
	<input type="radio"/> Dimensional (Area) Variance <input type="radio"/> Use Variance <input type="radio"/> Accessory Reception Antenna Facilities <input type="radio"/> Cellular Towers and Antenna <input checked="" type="radio"/> Fences	18.05 D.1. 18.05 D.2. 18.05 D.3. 18.05 D.4. 18.05 D.5.	<b>Section 7.</b> <b>Section 8.</b>

Describe your appeal, in general:

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Would like to install an 8-foot tall fence due to teh fact that the property line along which it will span is lower than the properties that it is separating.

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Upon completion of this portion, check above for an additional section to complete, then go to the last page (**Section 9.**) to complete the application.

**6. Section 6. Specific criteria for APPEALS and INTERPRETATIONS**

The Board of Zoning Appeals is bound by the same rules, procedures, and standards of the Ordinance. The Board of Zoning Appeals should uphold the original decision unless the record clearly shows that the original decision body or official was one of the following:

- a. Arbitrary and capricious; or
- b. Filled to ensure consistency with ordinance standards; or
- c. Made an error, such as relying on false or inaccurate information, or
- d. Constituted an abuse of discretion; or
- e. Was based upon erroneous interpretation of the zoning ordinance or zoning law.

Describe how your appeal meets one of these criteria:

The height requirement does not take into account significant topographical differences.

A 6-foot tall fence would not provide adequate screening between business and residential properties.

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7. **Section 7. Criteria for a DIMENSIONAL (Area) Variance**

Please respond to the following statements. The application must meet all criteria in order to obtain a variance.

- a. **Practical Difficulties.** How would the strict compliance with the area, setbacks, frontage, height, bulk, density, or other dimensional and non-use matters create practical difficulties, unreasonably prevent the use of the property for a permitted purpose, or render the conformity unnecessarily burdensome? Note that the showing of mere inconvenience is insufficient to justify a variance.

Strict adherence to the 6-foot height limitation would not allow the fence to perform as intended; as a visual and privacy barrier between the Central Business District and single-family residences.

- b. **Substantial Justice**

How would a variance do substantial justice to the applicant as well as to other property owners in the district?

It would help provide the screening between downtown businesses and residential that is required and intended in the ordinance.

Would a lesser variance than the requested give substantial relief to the applicant and or be more consistent with justice to other properties? If not, please explain why?

No. 8-foot is the minimum height that will provide adequate screening - see drawing attached.

- c. **Public Safety and Welfare.** Will the granting of the variance materially impair the intent and purpose of this ordinance or compromise the public safety and welfare?

No. It will help fulfill the intent of the ordinance and improve public safety and welfare.



- d. **Not Self-Created.** Have the special conditions and circumstances relating to the variance request resulted from the actions of the applicant?

No. This is the natural topography of the land.

- e. **No Safety Hazard or Nuisance.** Will the granting of variance or appeal increase the hazard of fire or otherwise endanger public safety or create a public nuisance?

No.

- f. **Relationship to Adjacent Land Uses.** Will the development permitted upon granting the variance relate harmoniously in a physical and economic sense with adjacent land uses while not altering the essential character of the neighborhood?

Yes. It is desired by all property owners that are adjacent.

- g. **Minimum Variance Necessary.** Is the variance requested the minimum amount necessary to permit reasonable use of the land? Explain, provide specific figures if necessary.

Yes. 8-foot is the minimum height that will provide adequate screening - see drawing attached.

**8. Section 8. Criteria for a USE Variance**

Please respond to the following criteria. The application must meet all of the statements in order to obtain the use variance.

- a. **Unreasonable Current Zoning Designation.** Describe how the property cannot be reasonably used for any purpose permitted in the zoning district without the variance. There must be financial proof of inability to realize any return.

N/A

- b. **Unique Circumstances.** Describe the unique circumstances peculiar to the property that exist which are not generally applicable in the area or to other properties in the same zoning district. Please describe features that make it impossible to earn a reasonable return without some adjustment.

N/A

- c. **Not Self-Created.** Have the special conditions and circumstances relating to the variance request resulted from the actions of the applicant or the applicant's predecessors or are they self-created?

N/A

- d. **Capacity of Roads, Infrastructure and Public Services.** Will the capacity and operations of public streets and other facilities be compromised?

N/A

- e. **Character of Neighborhood.** Will the variance, if granted, alter the essential character of the area? Explain.

N/A

- f. **Minimum Variance Necessary.** Is the variance requested the minimum amount necessary to permit reasonable use of the land? Explain, provide specific figures if necessary.

N/A



**Patrick Brzozowski**

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**From:** Steven Schneemann <ss@s3architecture.com>  
**Sent:** Tuesday, May 02, 2023 4:25 PM  
**To:** Forms Permits Inspections  
**Subject:** Fence Variance Images for 33300 Thomas Application

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Jeff-

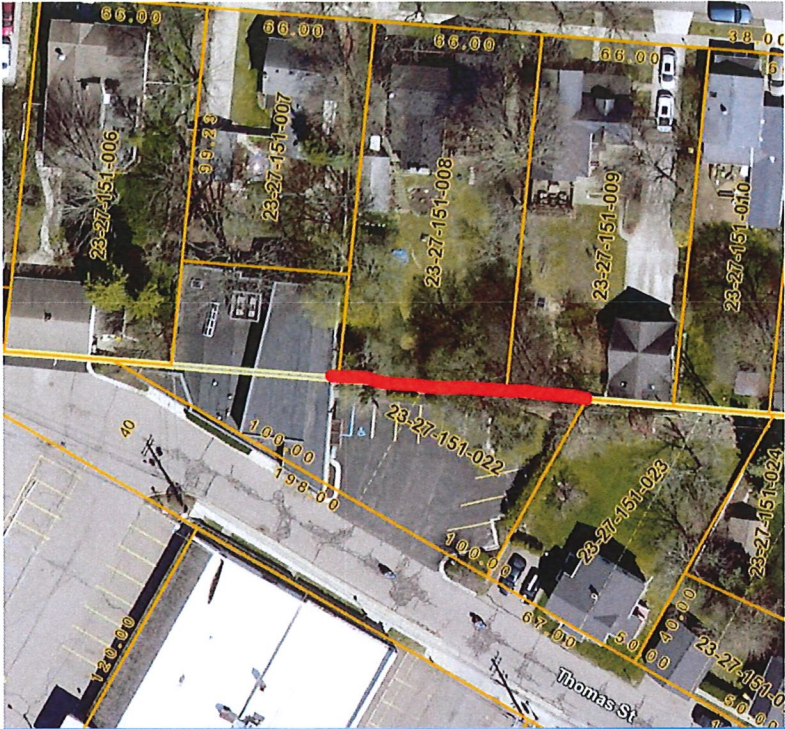
As discussed a couple of weeks ago, attached please find 3 images illustrating the area of the 8' tall proposed fence, for consideration by the ZBA.

Please confirm receipt.

Thank you.

Steven Schneemann  
S3 Architecture, PLLC  
(o) 248-427-0007  
(c) 248-321-9800

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Public Services Department

33720 West Nine Mile Road  
Farmington, Michigan 48335

The City of  Founded 1824  
**FARMINGTON**

Telephone 248-473-7250  
Fax: 248-473-7279

### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Zoning Board of Appeals for the City of Farmington will meet at 7:00 p.m. on Wednesday, June 7 2023, in the Council Chambers, 23600 Liberty, Farmington, Michigan in accordance with Article XVIII of the Farmington City Code. ***If held electronically via Zoom, notice and instructions for attending will be posted on the city's webpage at [www.farmgov.com](http://www.farmgov.com) at least eighteen hours prior to the meeting.*** All property owners within 300 feet of the site in question are notified.

**LOCATION:** 33300 Thomas Street

**SIDWELL:** 20-23-27-151-022

**ZONING:** Central Business District

**APPLICANT:** Steven Schneeman

**OWNER:** Chuck Allore

**APPEAL:** Applicant requests:  
**Fence Height**

A variance from the requirements of Chapter 13, Section 13-8 #2 of the City of Farmington Code of Ordinances, which states in part;

*Height.* No fence may exceed six (6) feet two (2) inches in height measured from the surface of the ground to the highest point of the fence. Supporting posts may measure six (6) feet four (4) inches; provided, that where a fence extends in front of a rear building line, the height above ground shall not exceed four (4) feet.

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Dated: May 23<sup>rd</sup>, 2023

GAUTAM BOSE  
ANUSREE BOSE  
33208 OAKLAND AVE  
FARMINGTON MI 48336 2334

THIBAUT ENTERPRISES INC  
21021 KELLY RD  
EASTPOINTE MI 48021 3127

MICHELE LABADIE  
JOHN LABADIE  
33224 OAKLAND AVE  
FARMINGTON MI 48336 2334

P MICHAEL H KAPPS  
SUSAN A HARFMANN  
33209 SHIAWASSEE RD  
FARMINGTON MI 48336 2342

LSGO LLC  
33306 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

Current Occupant  
33250 GRAND RIVER AVE  
FARMINGTON MI 48336 3122

JOHN GRANDSTAFF  
ERIN MCROBERT  
33306 OAKLAND AVE  
FARMINGTON MI 48336 2336

Current Occupant  
23605 WARNER ST  
FARMINGTON MI 48336 2358

AZAR MANAGEMENT LLC  
37277 WHITE TAIL CT  
FARMINGTON HILLS MI 48335 4725

MICHAEL FERA  
EVANN M GUTHRIE  
33300 OAKLAND AVE  
FARMINGTON MI 48336 2336

STEVEN G SCHNEEMANN  
JENNIFER A SCHNEEMANN  
33215 OAKLAND AVE  
FARMINGTON MI 48336 2335

Current Occupant  
33332 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

THE BLACK LIVING TRUST  
33318 OAKLAND AVE  
FARMINGTON MI 48336 2336

Current Occupant  
33318 GRAND RIVER AVE  
FARMINGTON MI 48336 3179

CITY OF FARMINGTON  
FARMINGTON CIVIC THEATER  
23600 LIBERTY ST  
FARMINGTON MI 48335 3529

FIRST UNITED METHODIST  
CHURCH  
33112 GRAND RIVER AVE  
FARMINGTON MI 48336 3120

LAR PROPERTIES LLC  
32892 ROBINHOOD DR  
BEVERLY HILLS MI 48025 2518

Current Occupant  
33316 THOMAS ST  
FARMINGTON MI 48336

DAVID G JUDGE  
LAURA A JUDGE  
23708 WARNER ST  
FARMINGTON MI 48336 2361

Current Occupant  
33316 GRAND RIVER AVE  
FARMINGTON MI 48336 6404

CITY OF FARMINGTON  
CITY PARKING LOT-NORTH SIDE  
23600 LIBERTY ST  
FARMINGTON MI 48335 3529

Current Occupant  
33200 GRAND RIVER AVE  
FARMINGTON MI 48336 3122

AZAR BROTHERS LLC  
28882 KENDALLWOOD DR  
FARMINGTON HILLS MI 48334 2638

Current Occupant  
33300 THOMAS ST  
FARMINGTON MI 48336 2353

LOS TRES AMIGOS-FARMINGTON LLC  
2420 E GRAND RIVER RD  
WILLIAMSTON MI 48895 9501

P & E PROPERTIES LLC  
33314 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

ALLORE HOLDINGS II LLC  
23609 WARNER ST  
FARMINGTON MI 48336 2358

Current Occupant  
33224 GRAND RIVER AVE  
FARMINGTON MI 48336 3122

KATHY JO WHEELER REVOCABLE LIVING  
33215 SHIAWASSEE RD  
FARMINGTON MI 48336 2342

Current Occupant  
33216 GRAND RIVER AVE  
FARMINGTON MI 48336 3122

AGHOBJIAN MANOEIL & MARIE  
REVOCABLE LIVING TRUST  
16284 KAMANA RD  
APPLE VALLEY CA 92307 1310

Current Occupant  
33304 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

GREGORY A HOWELL  
33305 OAKLAND AVE  
FARMINGTON MI 48336 2337

FARMINGTON DOWNTOWN DEVELOPMENT  
33316 GRAND RIVER AVE  
FARMINGTON MI 48336 6404

MK REAL ESTATE INVESTMENT GROUP LL  
4615 ARROWHEAD  
WEST BLOOMFIELD MI 48323 2303

JILL KELLER  
23617 WARNER ST  
FARMINGTON MI 48336 2358

HEENEY SUNDQUIST FUNERAL HOME INCO  
23720 FARMINGTON RD  
FARMINGTON MI 48336 2317

Current Occupant  
33312 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

Current Occupant  
33216 THOMAS ST  
FARMINGTON MI 48336 2351

JOHN F HOFFMAN  
VALERIE A HOFFMAN  
33315 OAKLAND AVE  
FARMINGTON MI 48336 2337

CHANG COMPANY LIMITED LLC  
33954 COTSWOLD ST  
FARMINGTN HLS MI 48335 1442

GEORGE F CAUDLE  
JANET L CAUDLE  
23079 FARMINGTON RD  
FARMINGTON MI 48336 3981

RICHARD B GUNDLACH  
CLAUDIA JANE GUNDLACH  
23700 WARNER ST  
FARMINGTON MI 48336 2361

Current Occupant  
33311 THOMAS ST  
FARMINGTON MI 48336

JANET M MACDONALD  
33221 OAKLAND AVE  
FARMINGTON MI 48336 2335

CHARLES J ALLORE  
23609 WARNER ST  
FARMINGTON MI 48336 2358

CITY OF FARMINGTON  
CITY PARKING LOT-NORTH SIDE  
23600 LIBERTY ST  
FARMINGTON MI 48335 3529

FIRST UNITED METHODIST  
CHURCH OF FARMINGTON  
33112 GRAND RIVER AVE  
FARMINGTON MI 48336 3120

STEPHEN EBAUGH  
SHELBY CALO  
33225 OAKLAND AVE  
FARMINGTON MI 48336 2335

COWLEY INVESTMENTS LLC, JOHN COWLE  
33338 GRAND RIVER AVE  
FARMINGTON MI 48336 3124

SANDRA SMALLISH  
33212 OAKLAND AVE  
FARMINGTON MI 48336 2334

MARK STEVENS  
MARGARET K STEVENS  
33219 SHIAWASSEE RD  
FARMINGTON MI 48336 2342

KEVIN GROMLEY  
NANCY J SCOTT  
23626 WARNER ST  
FARMINGTON MI 48336 2357

KRISTEN MARIE THOMPSON  
33310 OAKLAND AVE  
FARMINGTON MI 48336 2336

KATHY J STEINKE  
JAMES KARL STEINKE  
33221 SHIAWASSEE RD  
FARMINGTON MI 48336 2342

CHRIS B SCHROER  
23620 WARNER ST  
FARMINGTON MI 48336 2357

JAMES WHITE  
DENISE WHITE  
33204 OAKLAND AVE  
FARMINGTON MI 48336 2334

CATHY R ROZENBERG  
33218 OAKLAND AVE  
FARMINGTON MI 48336 2334

FIRST UNITED METHODIST OF FARMINGT  
33112 GRAND RIVER AVE  
FARMINGTON MI 48336 3120

MATTHEW S PERKO  
CLAIRE T PERKO  
33309 SHIAWASSEE RD  
FARMINGTON MI 48336 2366

FIRST UNITED METHODIST OF FARMINGT  
33112 GRAND RIVER AVE  
FARMINGTON MI 48336 3120

GRAND FARMINGTON LLC  
45798 FERMANAGH DR  
NORTHVILLE MI 48168 1810

DONALD MUNTER  
MARY SUE MUNTER  
33309 OAKLAND AVE  
FARMINGTON MI 48336 2337

DAVID M SIMOWSKI  
ANNE MARIE KURZYNIEC  
23625 WARNER ST  
FARMINGTON MI 48336 2358

DOUGLAS J PETERSON  
ANITA F PETERSON  
33209 OAKLAND AVE  
FARMINGTON MI 48336 2335

JAM HOLDINGS LLC  
33212 GRAND RIVER AVE  
FARMINGTON MI 48336 3122

Current Occupant  
33321 OAKLAND AVE  
FARMINGTON MI 48336 2337

HEENEY-SUNDQUIST  
FUNERAL HOME INC  
23720 FARMINGTON RD  
FARMINGTON MI 48336 2317

STEVEN G SCHNEEMANN  
JENNIFER A SCHNEEMANN  
33215 OAKLAND AVE  
FARMINGTON MI 48336 2335

Current Occupant  
33337 THOMAS ST  
FARMINGTON MI 48336

CITY OF FARMINGTON  
CITY PARKING LOT-NORTH SIDE  
23600 LIBERTY ST  
FARMINGTON MI 48335 3529

Current Occupant  
33336 GRAND RIVER AVE  
FARMINGTON MI 48336 3124