

**MINUTES  
CITY OF FARMINGTON HILLS  
ZONING BOARD OF APPEALS  
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS  
31555 W. ELEVEN MILE ROAD  
FARMINGTON HILLS, MI  
OCTOBER 10, 2023 – 7:30 PM**

**1. CALL MEETING TO ORDER**

Chair O’Connell called the meeting to order at 7:30pm and made standard introductory remarks explaining the role of the ZBA and the formal procedures of the meeting.

Board Members scheduled a site visit on October 8, 2023, and may also have visited the site independently. No action was taken at the site visit.

**2. ROLL CALL**

Members Present: Khan, King, Lindquist, O’Connell, Rich, Vergun

Members Absent: Irwin

Others Present: City Attorney Morita, Zoning Supervisor Randt, Recording Secretary McGuire

**3. APPROVAL OF AGENDA**

**MOTION by Vergun, support by King, to approve the agenda as submitted.**

**Motion carried unanimously by voice vote.**

**4. NEW BUSINESS:**

**A. ZBA CASE: 10-23-5730**

LOCATION: 27132 Winchester Ct.

PARCEL I.D.: 23-16-151-076

REQUEST: In order to build a 223 square foot addition (sunroom) in an RA-1 District located twenty-nine (29) ft. from the rear property line, the following variance is requested: A six (6) ft. variance from the required thirty-five (35) ft. rear yard setback requirement

CODE SECTION: 34-3.1.4.E

APPLICANT: Steven Zukkoor c/of SJZ Homes

OWNER: Salim and Farida Bhinderwala.

Zoning Supervisor Randt described the facts of the case. The property is located south of 696 and East of Drake. A site plan and background documentation for this request is in the packets.

Steven Zukkoor, SJZ Homes, 6785 Telegraph, Bloomfield Township, was present on behalf of this request for a 6’ rear yard setback variance in order to build a 223 square foot addition (sunroom) 29’ from the rear property line, at 27132 Winchester Court. Owners Salim and Farida Bhinderwala were also present.

Mr. Zukkoor made the following points:

- The property owners wanted to build a heated addition for family use, that was not closed off from the rest of the home. The requested setback is on the rear of the house which borders the subdivision common ground. No neighbor's side yard or back yard will be affected by granting this variance.
- The addition will aesthetically match the house, appearing as if it was built originally with the house.

In response to questions, the applicants gave the following further information:

- The addition met side yard setback requirements.
- The red square on the survey was a scanning error (perhaps a piece of tape).
- The brick on the addition will match the brick on the house. The roof color will also be the same as on the home; the roof will be a "stand-alone" roof.
- The owners had two special needs children who love to be outdoors; the proposed 4-season sunroom will help support that feeling.
- The owners had talked to both of their adjacent neighbors; neither neighbor had an issue with the proposed addition. The owners submitted a letter of support from their closest neighbors, Staci and Fabio Giske, 27158 Winchester Court, and also submitted a photo of the rear of the Giske's home, visible through woods. Mr. Giske was also an HOA board member for this neighborhood.
- The addition will not be visible from the street. The existing deck goes out further from the house than the addition would. The addition will stay within the visual and physical space of the existing deck. That portion of the existing deck space that does not need to be removed will remain as space for a wrap-around deck, but the deck space will not be enlarged.
- The owners' property backs up to subdivision common space, which backs up to public park space.
- No trees will be removed.
- The owners had submitted their plan to their Homeowners' Association, who had given tentative approval based on the owners receiving approval from the City.

#### Public Comment

There was no public present this evening.

Member Vergun reported that there was an affidavit of mailing, with no returns.

#### Board discussion and/or motion:

Member Lindquist emphasized that the ZBA's action had no bearing on HOA approval. If a variance is granted, it will have no legal impact on the HOA decision.

**MOTION by King, support by Vergun**, in the matter of ZBA Case 10-23-5730, 27132 Winchester Ct., Parcel I.D. 23-16-151-076, that the petitioner's request for a six-foot variance from the required thirty-five foot rear yard setback requirement, in order to build a 223 square foot addition (sunroom) in an RA-1 District, located twenty-nine feet from the rear property line, be **GRANTED**, because the petitioner did demonstrate practical difficulties exist in this case in that he set forth facts which show that:

1. Compliance with the strict letter of the ordinance would render conformity with the ordinance unnecessarily burdensome.

2. That granting the variance as requested will do substantial justice to the petitioner as well as to other property owners in the district.
3. The petitioner's plight is due to the unique circumstances of the property in that the property is oddly shaped, that it is backed up by an association common area, and then faces to the east on a heavily wooded parkland area, and that the viewing of the proposed addition is therefore almost impossible from any angle.
4. The problem is not self-created.

With the following condition:

- The size, shape, materials and colors of the addition be exactly as submitted to this Board and as communicated relative to matching the color of the existing brick and shingles, and that the construction of the addition be consistent with the elevations provided.

**Motion passed unanimously by voice vote, 6-0.**

**5. PUBLIC QUESTIONS AND COMMENTS:**

None.

**6. APPROVAL OF MINUTES September 19, 2023**

**MOTION by King, support by Vergun**, to amend and approve the September 19, 2023 meeting minutes as follows:

- P. 3, 4<sup>th</sup> paragraph, last line, add: Mr. Oraha declined.

**Motion carried by voice vote 5-0-1 (Rich abstained).**

**8. ADJOURNMENT**

**MOTION by Vergun, support by Khan**, to adjourn the meeting at 8:00 p.m.

**Motion approved unanimously.**

Respectfully submitted,  
Daniel Vergun, Secretary

/cem