

**MINUTES  
CITY OF FARMINGTON HILLS  
ZONING BOARD OF APPEALS – COUNCIL CHAMBER  
31555 W ELEVEN MILE ROAD  
FARMINGTON HILLS, MICHIGAN  
MARCH 8, 2022 – 7:30 PM**

**CALL MEETING TO ORDER**

Chair Lindquist called the meeting to order at 7:40 P.M. and made standard introductory remarks explaining the formal procedure, courtesies and right of appeal.

Chair Lindquist noted that there was no site visit on Sunday March 6; this matter had been reviewed on a previous occasion.

**ROLL CALL**

Members Present: Irvin, Lindquist, O’Connell, Rich, Vergun  
Alternate Collins

Members Absent: King, Masood

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

**APPROVAL OF AGENDA**

**MOTION by Rich, support by Irvin, to approve the agenda as published.**

**Motion approved unanimously.**

**OLD BUSINESS**

- A. ZBA CASE: 1-22-5690  
LOCATON: 35780 Nancy Gail  
PARCEL I.D.: 23-17-276-009  
REQUEST: In an RA-1A Zoning District, in order to build a new 2,955 square foot single family home, a 725 square foot attached garage and retain a 646.8 square foot barn, the following variance is requested: A 121.8 square foot variance from the requirement that in no instance shall the combined floor area of all accessory uses and buildings exceed a total of 1,250 square feet.  
CODE SECTION: 34-5.1.2.D.  
APPLICANT/OWNER: Toby Manimallethu

Member O’Connell called the case.

Utilizing a PowerPoint presentation, Zoning Supervisor Randt reviewed the facts of the case. The property was located west of Drake Road and south of I-696. As shown on the submitted site plan, the barn in question was located in the northwest corner. A March 2, 2022 photograph showed the current state of the barn. The proponent wished to retain the barn while he builds a house on the property.

Cullen Geisler, 28175 Haggerty Road, Novi MI was counsel for the applicant Toby Manimallethu, who was also present.

Mr. Geisler made the following points:

- Two structural engineers had looked at the 100 year old barn, and had determined that through proper renovation and maintenance the barn can be kept, and that was Mr. Manimallethu's intent.
- Mr. Manimallethu had been eyeballing the property for some time; he was a fan of old things, and it was important to him to retain the barn on the site. The barn brings a special elegance to the property.
- A garage on an easement had been demolished, with the debris in the process of being removed, per the City's request.
- The shed on the property will also be removed.
- There had been an issue with getting dumpsters on the site; two dumpster loads had already been emptied.
- They were requesting a variance in order to keep the barn.

Chair Lindquist asked if the applicant had anything to add regarding the criteria for granting a variance. Mr. Geisler said he had no more information to present.

Mr. Manimallethu, Brighton MI, made the following points:

- He had a business on Farmington Road and had owned properties in the City and Livonia since the early 2000's.
- He was looking for acreage in the City, where he could have his own well and septic system.
- He would like to keep the barn and shed.
- He was ready to go with his plans for the property, but needed to know he would be able to keep the barn.

#### Board questions

In response to questions from Member Rich, the applicant gave the following information:

- Mr. Manimallethu had purchased the property last year. There was still a "for sale" sign up because if he could not keep the barn, he would sell the property.
- The new house would not have a garage; he had eliminated the garage in the original request in order to be able to keep the barn, and new plans had been submitted to the City. They would be constructing an unenclosed car port instead.

Member Rich pointed out that if the 725 square foot attached garage was no longer being built, a variance for 121.8 square feet as advertised would not be needed.

Chair Lindquist reviewed the variance request as advertised, and confirmed with Mr. Manimallethu that a 725 square foot attached garage was no longer proposed. Chair Lindquist reiterated that without the attached garage, a variance was not necessary to keep the barn.

In response to a request from Mr. Manimallethu, Chair Lindquist explained that the Board could not look at new information this evening, or give an opinion regarding whether Mr. Manimallethu could keep the shed and the barn based on plans that the Board had not seen.

Zoning Supervisor Randt reviewed the process that brought Mr. Manimallethu to seek a variance, including plans that had been reviewed by the Staff Planner in November, and the variance request that had been advertised. Now it appeared that the plans had changed.

City Attorney Morita advised that the proponent was representing that the plans that had been submitted to the Board for consideration of a variance were no longer accurate. She recommended that the Board not

make a decision this evening, because the Board had no way to tie a decision to a specific set of plans. The Board could adjourn this item to a date certain, in order to give the applicant time to work with the City regarding what he was actually requesting. If a new plan eliminated the need for a variance, the applicant would not need to return to the Board.

Mr. Geisler asked if the Board could make a decision on the original request. City Attorney Morita said the Board would be unable to issue a favorable determination, based on the applicant's representation that the submitted plans were not accurate.

In response to further comments from Mr. Geisler, Chair Lindquist explained that the variance request was for a 121.8 square foot variance from the requirement that in no instance shall the combined floor area of all accessory uses and buildings exceed a total of 1,250 square feet. However, now the proponent was representing that he no longer needed this variance because revised plans had been submitted to the planning department. This needed to be resolved before the Board could act.

Member Rich asked if the City had looked at the condition of the barn. Zoning Supervisor Randt said the City had been in court regarding the barn and other substandard structures on the property.

Member Rich said in any event, if the Board was inclined to grant the variance, he would require a condition that the barn be brought to code within 6 months or less.

City Attorney Morita reiterated that no variance should be granted this evening. In any case, because the proponent was building a new house on a property with an existing structure he was trying to retain, the issuance of a final certificate of occupancy should be tied to the existing structure complying with code requirements.

Member Rich said that based on his calculations, the submitted plans did not show a 725-square foot attached garage, but something smaller. The Board could not grant a variance based on the information and plans submitted this evening.

City Attorney Morita asked Mr. Manimalethu if he would like to adjourn this request to a date certain, in order to have time to clarify his request.

Mr. Geisler said they were amenable to having the case adjourned to a date certain.

**MOTION by Rich, support by Irvin**, to adjourn ZBA Case 1-22-5690, 35780 Nancy Gail, submitted by Toby Manimalethu, to a date certain, specifically the April 12, 2022 ZBA meeting.

**Motion approved unanimously by voice vote.**

**PUBLIC QUESTIONS AND COMMENTS:**

Chair Lindquist welcomed Alternate Collins to the Board.

**APPROVAL OF MINUTES:** January 11, 2022

**MOTION by Collins, support by Vergun**, to approve the January 11, 2022 Zoning Board of Appeals meeting minutes as presented.

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

**ADJOURNMENT**

**MOTION by Rich, support by O'Connell, to adjourn the meeting at 8:22 p.m.**

**Motion approved unanimously.**

Respectfully submitted,  
Michael O'Connell, Secretary

/cem