



CITY OF MADISON HEIGHTS
COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.
ZONING BOARD OF APPEALS MEETING AGENDA
NOVEMBER 05, 2026 AT 6:30 PM

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

1. Additions/Deletions

APPROVAL OF MINUTES

2. October 1st, 2026 Meeting Minutes

PUBLIC HEARING

3. **PZBA # 26-04: 29235 Stephenson Hwy.**

REQUEST: The applicant and property owner, Kirk Neal c/o TJ Property Management, LLC, requests three (3) variances from the Madison Heights Zoning Ordinance: One (1) variance from Section 4.02 pertaining to side-yard setback requirements in the M-1 zoning district; one (1) variance from Section 10.01(2) pertaining to front-yard parking setback requirements; and one (1) variance from Section 11.06 pertaining to minimum parking lot landscaping requirements. The subject property is located at 29235 Stephenson Highway (TM# 44-25-11-376-022) and is zoned M-1, Light Industrial district.

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

4. Recommendation of ZBA Representative to Planning Commission

MEMBER UPDATES

PLANNER UPDATES

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



MEMORANDUM

Report Date: October 30th, 2026
 To: City of Madison Heights Zoning Board of Appeals
 Meeting Date: November 5th, 2026
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Variances for Building Setback, Parking in a Front Yard, and Landscaping
 PZBA 26-04 – 29235 Stephenson Highway

REQUEST

The applicant and property owner, Kirk Neal c/o TJ Property Management, LLC, requests the following variances related to proposed building and site improvements at the subject property:

- (1) Dimensional variance from Section 4.02 of the Zoning Ordinance pertaining to side-yard building setback requirements; and
- (2) Dimensional variance from Section 10.01(2) pertaining to front-yard parking setback requirements; and
- (3) Variance from Section 11.06 pertaining to minimum parking lot landscaping requirements.

The subject property is located at 29235 Stephenson Highway and is zoned M-1, Light Industrial. The property is improved with a 25,596 square foot industrial building currently occupied by 2SP Sports Performance, an indoor sports training facility. 2SP Sports proposes a 9,000 square foot addition to the rear (west) of the existing building and additional site improvements, including replacement of the asphalt parking lot and striping of additional parking spaces.

Subject Property: 29235 Stephenson Hwy (outlined in red)



PROJECT HISTORY

The property owner received a rear-yard building setback variance under the previous Zoning Ordinance in 2023 (PZBA 23-06) for the proposed building addition. However, as no site plan or building permit applications were submitted and one year has passed since ZBA approval, the variance has lapsed. Since that time, Madison Heights has adopted a new Zoning Ordinance. The applicant wishes to restart the project and is now applying for dimensional variances under the new zoning regulations.

ZONING ORDINANCE STANDARDS

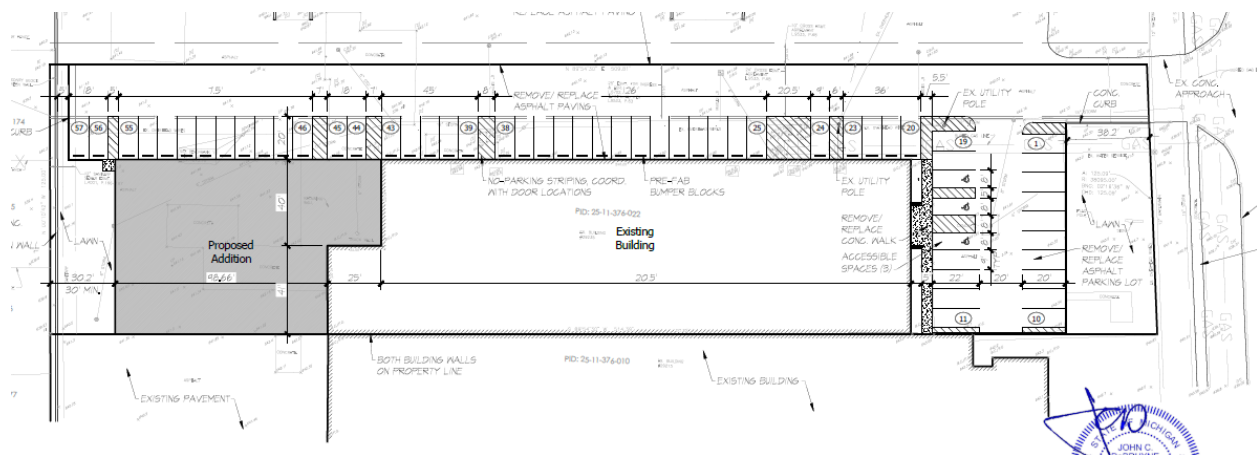
Building Setback

Per the Schedule of Regulations, **Section 4.02**, buildings and additions within the M-1 zoning district shall be set back a minimum of twenty (20) feet from side property lines. The 9,000 square foot building addition is proposed directly on the southern property line, resulting in a zero (0) foot side yard setback and requiring a twenty (20) foot side yard setback variance. The proposed building addition lines up with, and is an extension of, the existing building which also maintains a zero (0) foot side yard setback.

The proposed building addition is set back approximately thirty (30) feet from the rear property line, which satisfies the minimum rear setback requirement of the M-1 district (25 feet).

The applicant has included a letter signed by a representative of the property owner to the south agreeing to the proposed building location.

Proposed Building Addition (Gray)



Front-Yard Parking

Section 10.01.2(B) prohibits off-street parking within the front-yard setback in the M-1 zoning district. The minimum required front yard setback in the M-1 district is fifty (50) feet. The applicant intends to remove, repave and restripe the existing front parking area, which is thirty-eight (38) feet from the front property line, requiring a twelve (12) foot setback variance. The footprint of the front parking area is not proposed to be increased.

Parking Lot Landscaping

Section 11.06.1.A states, "landscaping islands shall be used to subdivide parking areas into parking bays with not more than forty (40) spaces, provided that no more than fifteen (15) spaces shall be in an uninterrupted row." The applicant proposes to remove, repave and restripe existing parking spaces along the north side of the existing building and stripe new parking spaces along the north side of the building addition, but does not propose landscape islands or landscaping. Thirty-eight (38) uninterrupted parking spaces are proposed along the north side of the building, with fifty-seven (57) parking spaces total on site.

The Zoning Ordinance requires two (2) landscape islands within the northern row of parking spaces. The applicant is seeking a variance from the interior parking lot landscaping requirement.

VARIANCE FINDINGS AND CRITERIA

Section 15.06.2 of the Zoning Ordinance grants the Zoning Board of Appeals the power to authorize dimensional variances from building setback requirements, provided that such variances will not be inconsistent with the purpose and intent of such requirements. In granting a variance, the Zoning Boards of Appeals shall make findings that the petitioner has adequately proven the existence of a “practical difficulty”, explicitly with regard to the following criteria:

- A. That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
- B. That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and
- C. That the plight of the owner is due to unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and
- D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

In granting any variance, the ZBA may prescribe appropriate conditions and safeguards in conformity with the Ordinance, provided that said conditions are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public. Such conditions shall be necessary to meet the intent and purpose of the Ordinance, be related to the standards established in the section for the land use or activity under consideration and be necessary to ensure compliance with those standards.

STAFF ANALYSIS

Building Setback Variance

Whereas the previous zoning ordinance allowed a 0-foot side yard setback where industrial buildings adjoined other industrial zoning districts, the new Zoning Ordinance does not offer this flexibility. The existing building is placed directly on the shared south property line. The applicant requests a twenty (20) foot side-yard setback variance to extend the existing building to the rear, maintaining the zero-foot side yard setback. The applicant has included a letter signed by a representative of the property owner to the south agreeing to the proposed building location. The proposed building addition maintains a thirty (30) foot rear-yard setback. While the 30-foot rear yard building setback satisfies minimum Zoning Ordinance requirements, new landscaping should be considered in the new rear lawn area to provide greater buffering to the residential neighborhood behind.

Front Yard Parking

The existing front yard parking area encroaches into the required 50-foot front yard setback by 12 feet. While the applicant does not propose to increase the footprint of the existing parking area, frontage landscaping should be added to the berm between the parking lot and Stephenson Highway in accordance with Zoning Ordinance standards to further screen the parking lot and improve the streetscape.

Parking Lot Landscaping

The intent of the interior parking lot landscaping requirement is to break up large expanses of impervious pavement for stormwater and aesthetic purposes. The applicant does not propose landscape islands along the north side of the building and seeks a variance from this requirement. An underground stormwater system will likely be required as part of the site plan requirements, which will offset any increase in stormwater runoff.

Practical difficulties relating to a dimensional variance request should generally relate to unique physical constraints on the property, including but not limited to natural features (e.g. wetlands, topography, soil situations), existing structures, or extraordinary parcel shape. Where physical constraints severely limit the ability to operate a use on the property, variances may be warranted.

The Zoning Board of Appeals may act on all three (3) variances in one motion or act on them separately. If motions to approve the variances are presented, staff recommends several conditions of approval to further limit adverse visual impacts on adjacent properties and the streetscape and meet the spirit of the Zoning Ordinance

Suggested conditions:

1. The Major Site Plan, when submitted, shall be substantially consistent with the conceptual site plan provided within this variance application, with the exception of the following required modifications:
 - (a) Rear yard greenbelt landscaping shall be installed within the new lawn area in accordance with Screen Wall Greenbelt standards of the Zoning Ordinance (Section 11.04.C). However, shrubs shall not be required.
 - (b) Frontage landscaping shall be provided within the front berm area in accordance with the Frontage Landscaping standards of the Zoning Ordinance (Section 11.05). However, waivers may be considered in accordance with Section 11.11 to account for overhead power lines and visibility of signage.

ZBA ACTION

Any ZBA motion, including approval and denial, shall include findings of fact relating to the variance criteria listed in Sections 15.06.2 of the Zoning Ordinance. Template approval and denial motions are provided below for the ZBA's consideration, which may be modified at the discretion of the board.

Attachments

- Maps
- ZBA Application and Documents
- Section 4.02 – Schedule of Regulations
- Section 10.01.2.B – Parking, Loading and Access Management] Parking Location Standards
- Section 11.-6 – Parking Lot Landscaping standards
- Section 15.06 – Variances and Appeals
- Public Hearing Notice

TEMPLATE MOTIONS**APPROVAL (Combined):**

Move that the Zoning Board of Appeals APPROVE the following variances:

- 1) A twenty (20) foot variance from Section 4.02 of the Zoning Ordinance pertaining to side-yard building setback requirements, allowing for a zero (0) foot side yard setback along the southern property line; and
- 2) A twelve (12) foot variance from Section 10.01(2) pertaining to front-yard parking setback requirements, allowing for a thirty-eight (38) foot front yard parking setback; and
- 3) A variance from Section 11.06 pertaining to minimum parking lot landscaping requirements, eliminating the interior parking lot landscaping requirement within the row of parking to the north of the building.

This motion, being made after the required public hearing, is based upon the following findings:

- 1) Strict compliance with the side yard setback, parking lot setback, and parking lot landscaping requirements would unreasonably prevent the owner from expanding the existing building and improving on-site parking; and
- 2) The requested variances will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and
- 3) The plight of the owner is due to unique circumstances of the property; and
- 4) The requested variances are the minimum amount necessary to permit reasonable development of the land, building or structure; and
- 5) With conditions, the authorization of such variances will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

Approval is granted with the **following conditions** designed to ensure compliance with the intent and purpose of the referenced zoning regulations:

1. The Major Site Plan, when submitted, shall be substantially consistent with the conceptual site plan provided within this variance application, with the exception of the following required modifications:
 - (a) Rear yard greenbelt landscaping shall be installed within the new lawn area in accordance with Screen Wall Greenbelt standards of the Zoning Ordinance (Section 11.04.C). However, shrubs shall not be required.
 - (b) Frontage landscaping shall be provided within the front berm area in accordance with the Frontage Landscaping standards of the Zoning Ordinance (Section 11.05). However, waivers may be considered in accordance with Section 11.11 to account for overhead power lines and visibility of signage.
2. Additional building expansions and site improvements that fail to meet Zoning Ordinance requirements beyond those referenced within this motion shall require new application in front of the Zoning Board of Appeals.

DENIAL (NOTE: ONLY ONE NON-COMPLIANT STANDARD NEEDS TO BE LISTED TO MOVE FOR DENIAL)

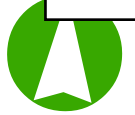
Move that the Zoning Board of Appeals DENY the requested variances pertaining to the side yard building setback, front-yard parking setback, and minimum parking lot landscaping requirements at 32420 Stephenson Highway. This motion, being made after the required public hearing, is based upon the following findings:

- 1) Section 4.02 of the Zoning Ordinance contains standards pertaining to side-yard building setback requirements; and
- 2) Section 10.01(2) contains standards pertaining to front-yard parking setback requirements; and
- 3) Section 11.06 contains standards pertaining to minimum parking lot landscaping requirements; and
- 4) Strict compliance with the aforementioned standards would not unreasonably prevent the owner from continuing to utilize the existing site as an indoor recreational use; and
- 5) The authorization of such variances will materially impair the intent and purpose of this Ordinance to properly regulate building placement, parking lot placement, and landscaping; and
- 6) The plight of the owner is not due to unique or extraordinary physical or natural circumstances on the property; and
- 7) The need for the requested variances is a result of actions of the property owner to expand the existing building.

Item 3.

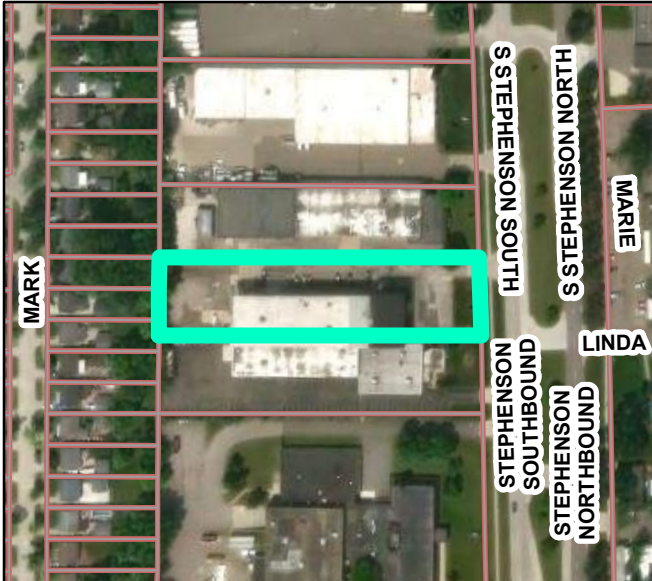


Site Address: 29235 Stephenson Hwy



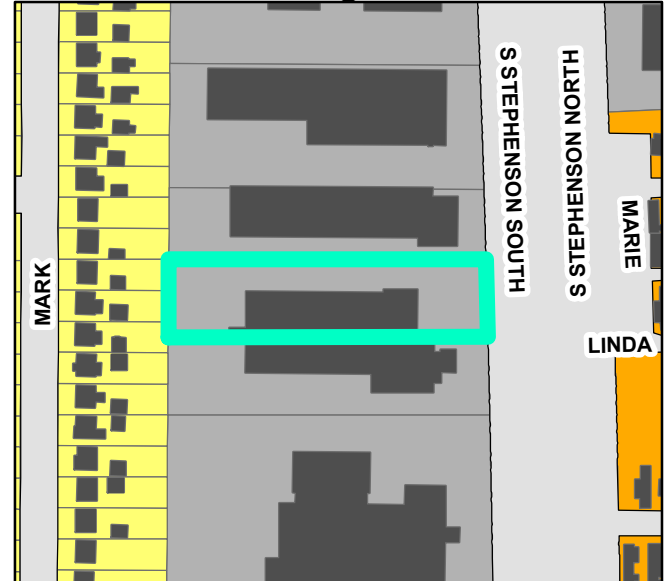
Click for maps

Aerial



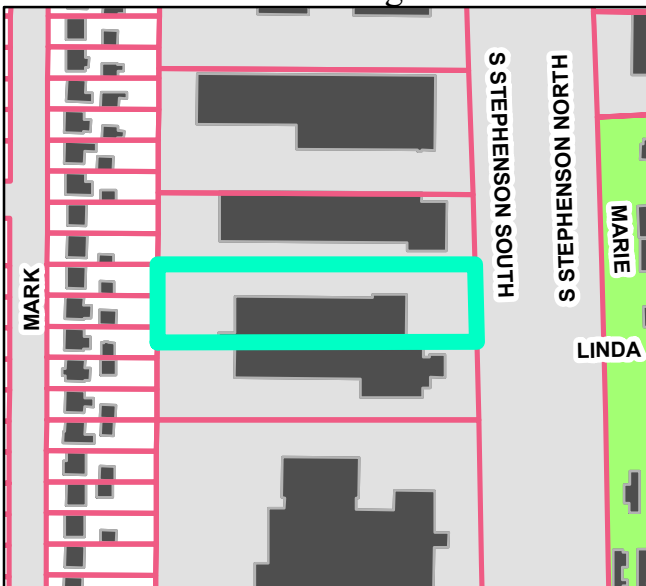
 29235 Stephenson Hwy  Parcels

Existing Land Use



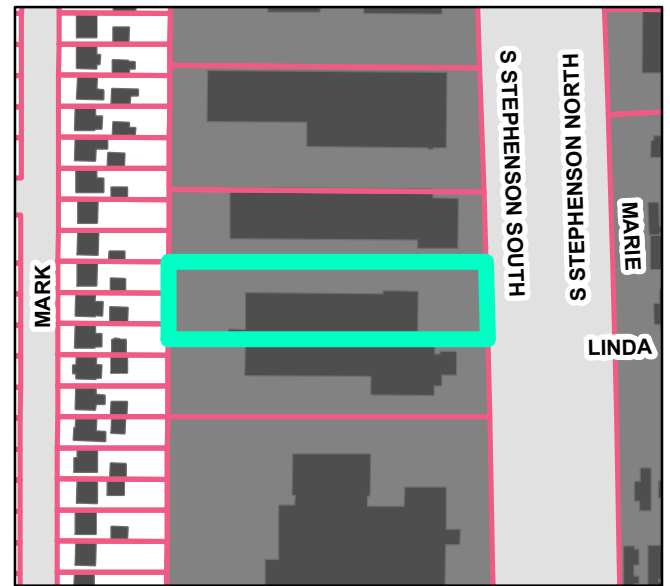
 29235 Stephenson Hwy  Industrial
 Single And Two Family  Mobile Home Park

Zoning



 29235 Stephenson Hwy  M-1 Light Industrial
 R-3 Residential  N-P

Future Land Use

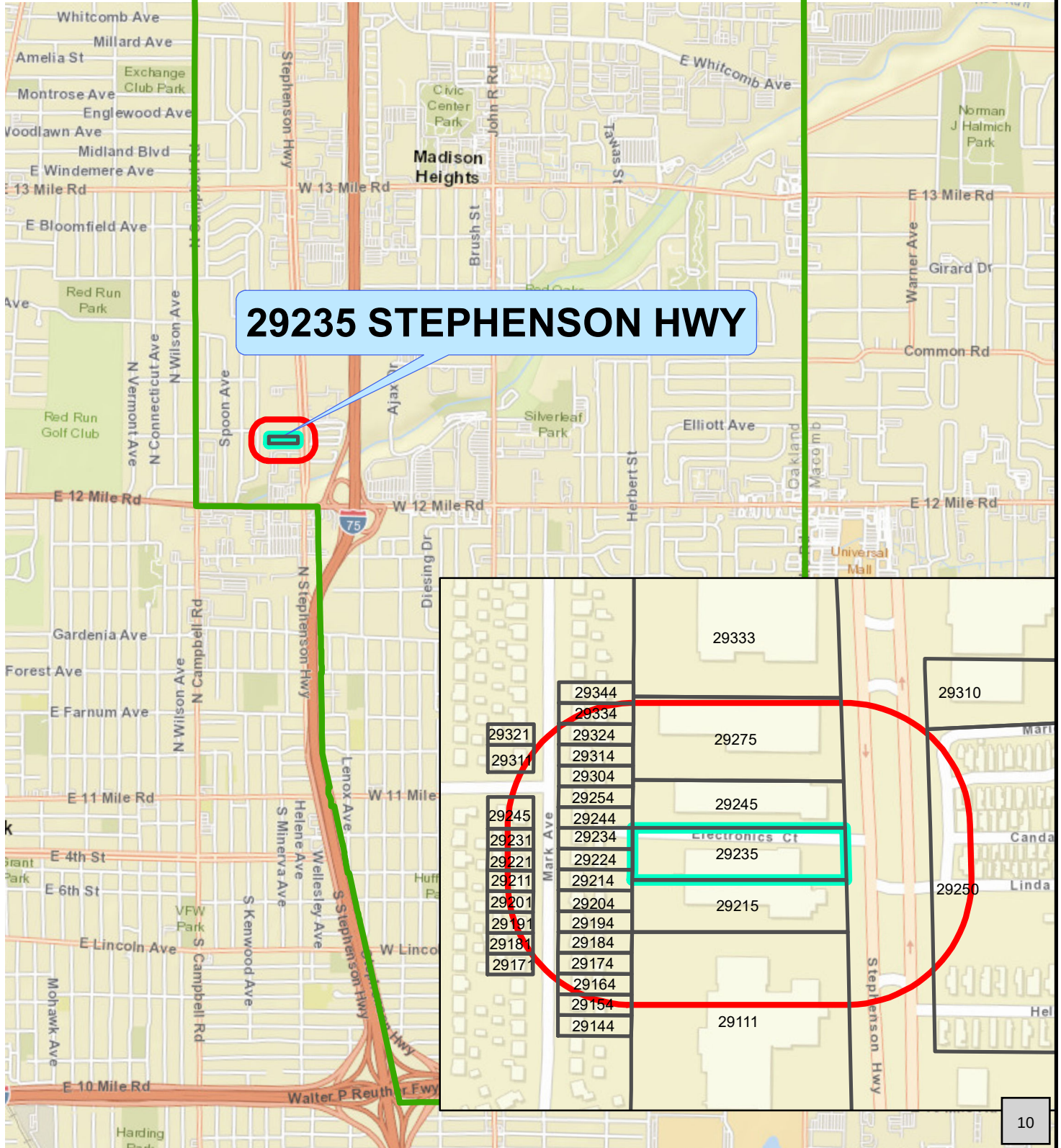


 29235 Stephenson Hwy  Industrial
 Single Family

PZBA 26-04 : 29235 STEPHENSON HWY

BUFFER: 300 FT

Item 3.





**CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
ZONING BOARD OF APPEALS (ZBA) APPLICATION**

I. APPLICANT INFORMATION

Applicant TJ Property Management, LLC
 Applicant Address 29235 Stephenson Hwy
 City Madison Heights State MI ZIP 48071
 Interest in Property (owner, tenant, option, etc.) Owner
 Contact Person Kirk Neal
 Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION (IF APPLICABLE)

Property Address 29235 Stephenson Hwy
 Tax ID 44-25-11-376-022 Zoning District M-1
 Owner Name (if different than applicant) same
 Address _____
 City _____ State _____ Zip _____
 Telephone Number _____ Email Address _____

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name John DeBruyne Company SDA Architects, Inc.
 Address 42490 Garfield, Suite 204
 City Clinton Township State MI Zip 48038
 Telephone Number [REDACTED] Email Address [REDACTED]

ZBA APPLICATION

IV. NATURE OF REQUEST

- ☒ **Variance 2 and 3**
☒ Dimensional (Non-Use) Variance
 ☐ Appeal of Administrative Decision
 ☐ Zoning Text or Map Interpretation
 ☒ **Variance 1**
☒ Alteration of Non-Conforming Use

Brief Description of Request

Proposed 9,019 SF addition to an existing indoor recreational business. Three requested variances:
 1) Omit requirement for parking lot landscape islands subdividing parking areas into max. 15 continuous spaces.
 2) Side yard setback reduction from 20' to 0'.
 3) Front yard parking setback reduction from 50' to 40'.

Required Attachments: Refer to ZBA Review Standards Response Form and Checklist (attached).

V. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Zoning Board of Appeals application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s). I hereby affirm that all of the information submitted with and including this application are correct and truthful to the best of my knowledge.

Printed Name KIRK NEAL Signature [Signature] Date 10/12/26

VI. PROPERTY OWNER CERTIFICATION

By signing below, I (property owner) understand that the application to the City of Madison Heights has been made for land use matters to be considered and decision made by the Zoning Board of Appeals that will affect use of my property. I hereby affirm that all of the information submitted with and including this application are correct and truthful to the best of my knowledge.

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF.

Printed Name KIRK NEAL Signature [Signature] Date 10/12/26

Notary for Property Owner:

Subscribed and sworn before me, this 12th day of October, 2026

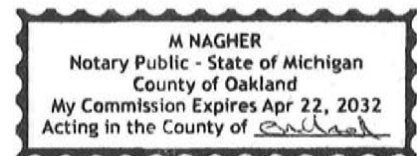
A Notary Public in and for Oakland County, Michigan.

Notary Name (Print): Margaret Wagner

Notary Signature: [Signature]

My Commission Expires: April 22, 2032

Notary Stamp



STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE: _____

ZBA NO.: PZBA # _____

➤ DIMENSIONAL VARIANCE/NON-CONFORMING USE:

DATE APPLICATION RECEIVED: _____

○ Single-Family: \$300

RECEIVED BY: _____

○ Multi-Family/Non-Residential: \$400 + \$300 per additional variance

➤ Appeal/Interpretation: \$400

SECTION C: ALTERATION OF NONCONFORMING USE**☒ Check here for an Alteration of a Nonconforming Use (Section 13.01 of Zoning Ordinance)**

1. Describe the existing nonconforming use and the plans for alteration/expansion.

There are existing parking spaces along the north wall of the existing building without landscape islands. As part of the west building expansion, the Applicant wishes to extend the same parking to the west end of the property, into currently paved service areas.

2. Describe how the alterations will not further reduce the value or otherwise limit the lawful use of adjacent properties.

Similar to this property, the property to the north has parking against the south side of their building without any landscape islands. Both properties share a 34' wide Cross Easement Agreement so that vehicles have access to their respective parking spaces and the rear yard service areas. The proposed additional spaces would use the easement as intended and cause no detriment to the property to the north. Properties to the west are and will remain screened via an existing masonry screen wall. The property to the south will not be impacted.

3. Describe how the alterations will retain the character and environment of abutting premises.

The shared easement, all parking spaces, and service areas are all currently paved and will remain paved. The screenwall at the west property line will remain.

4. Describe how the alterations will not materially increase or perpetuate the nuisance aspects of the use upon adjacent uses.

All activities related to the addition will occur indoors. Additional parking will occur in currently paved parking/service areas and utilize the existing shared easement.

5. Provide conceptual site plan or plot plan, properly scaled, showing: dimensions from street/property lines, sidewalks, building on site and on adjoining properties, easements, and other facilities, structures, and site conditions pertaining to the variance or alteration request. (Refer to Checklist included in this application).

SECTION D: DIMENSIONAL (NON-USE) VARIANCE**☒ Check here for a Dimensional (Non-Use) Variance (Section 15.06 of Zoning Ordinance)**

1. List Section number(s) from which a variance is requested:

3.17 Dimension Regulations	

2. Provide a description of the proposed work and why the anticipated variances are needed.

~~8,992 SF~~
Proposed 9,019 SF single-story addition to an existing indoor recreational business. The Applicant proposes that the width of the addition matches the width of the existing 81' wide building and that the existing 0' side-yard setback be continued at the addition.

3. Explain how strict compliance with area, setbacks, frontage, height, bulk, density, or other dimensional standards would unreasonably prevent the owner from using the property for a permitted purpose, thereby rendering the conformity unnecessarily burdensome for other than financial reasons.

The existing M-1 property is relatively narrow and was originally developed to meet that narrowness by utilizing a Cross Easement Agreement with the property to the north (to eliminate redundant driveways/maneuvering lanes) as well as the 0' side yard setback allowed by the previous ordinance. The property to the south also building against the property line as allowed by the previous ordinance.

4. Explain how a variance would provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return is not of itself deemed sufficient to warrant a variance.

The new ordinance requires a 20' side yard setback which would hinder the further use of the property, reducing any building width from 81' to a non-practical 61', on an M-1 property that was originally developed for a 0' side yard setback. A 20' setback would create an unusable strip of land along the south property line.

5. Explain how the plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic environmental conditions, or other physical situation(s) on the land, building, or structure.

The ordinance was changed from a 0' to 20' side yard setback which unreasonably put a developmental and use burden on the existing relatively narrow property.

6. Explain how the requested variance(s) is/are the minimum amount necessary to permit reasonable use of the land, building, or structure.

A 0' side yard setback would decrease the size of the otherwise unusable strip of land between the addition and the south property line. The addition's wall on the property line would be built to conform with Building Code fire rated requirements.

7. Describe how the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purposes of the Zoning Ordinance or the public health, safety, and general welfare of the community.

The only impacted property would be the south property which like this property currently enjoys a 0' side yard setback. The south neighbor is in agreement with maintaining the 0' side yard setback and has prepared a letter (included) documenting their support.

8. Describe how the need for the variance(s) is not the result of actions of the property owner or previous property owners.

The 20' side yard setback is a result of the adoption of a new zoning ordinance.

9. Provide conceptual site plan or plot plan, properly scaled, showing: dimensions from street/property lines, sidewalks, building on site and on adjoining properties, easements, and other facilities, structures, and site conditions pertaining to the variance or alteration request. (Refer to Checklist included in this application).

SECTION D: DIMENSIONAL (NON-USE) VARIANCE**☒ Check here for a Dimensional (Non-Use) Variance (Section 15.06 of Zoning Ordinance)**

1. List Section number(s) from which a variance is requested:

3.17 Dimension Regulations	
10.01-2-A.3 Parking Requirements	

2. Provide a description of the proposed work and why the anticipated variances are needed.

Removal and replacement of an existing front yard parking area. The existing non-curbed parking area encroaches into the 50' front yard setback by approx. 10'. The Applicant requests a 12' variance (resulting in a 38' setback) to allow for proper parking space and maneuvering lane dimensions and also for the installation of curbs.

3. Explain how strict compliance with area, setbacks, frontage, height, bulk, density, or other dimensional standards would unreasonably prevent the owner from using the property for a permitted purpose, thereby rendering the conformity unnecessarily burdensome for other than financial reasons.

The property would lose 10 parking spaces to comply.

4. Explain how a variance would provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return is not of itself deemed sufficient to warrant a variance.

As a removal and replacement of the parking area, this work would not change any existing conditions.

5. Explain how the plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic environmental conditions, or other physical situation(s) on the land, building, or structure.

This is an existing parking area.

6. Explain how the requested variance(s) is/are the minimum amount necessary to permit reasonable use of the land, building, or structure.

A variance would allow for the conditioned use of an existing parking area.

7. Describe how the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purposes of the Zoning Ordinance or the public health, safety, and general welfare of the community.

This is an existing parking area, allowing it to continue would not affect adjacent properties or the community.

8. Describe how the need for the variance(s) is not the result of actions of the property owner or previous property owners.

The parking area existing before the Applicant became owners. It is unknown how or when the parking area was installed., it dates back to at least 1999 according to Google Earth imaging.

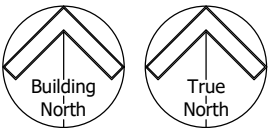
9. Provide conceptual site plan or plot plan, properly scaled, showing: dimensions from street/property lines, sidewalks, building on site and on adjoining properties, easements, and other facilities, structures, and site conditions pertaining to the variance or alteration request. (Refer to Checklist included in this application).

Proposed Addition to 2SP Sports Performance - Madison Heights



Aerial Map

No Scale



Legal Description

LEGAL DESCRIPTION

THE SOUTH 125 FEET OF THE NORTH 450 FEET OF THE PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION II, TOWN I NORTH, RANGE II EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 POST; THENCE SOUTH 88 DEGREES 53 MINUTES 10 SECONDS WEST ALONG THE SOUTH SECTION LINE 1292.17 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 45 MINUTES WEST ALONG SAID WEST LINE 229.92 FEET TO THE CENTERLINE OF RED RUN DRAIN AND TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 0 DEGREES 45 MINUTES WEST, 1312.09 FEET; THENCE NORTH 89 DEGREES 15 MINUTES EAST, 496.30 FEET TO THE WEST LINE OF STEPHENSON HIGHWAY RIGHT OF WAY; THENCE ON A CURVE TO THE RIGHT (RADIUS 38,095 FEET), CHORD BEARS SOUTH 02 DEGREES 55 MINUTES 06 SECONDS EAST 797.12 FEET; A DISTANCE OF 767.14 FEET; THENCE SOUTH 2 DEGREES 19 MINUTES 10 SECONDS EAST, 340.89 FEET TO THE CENTERLINE OF RED RUN DRAIN; THENCE ALONG CENTERLINE SOUTH 85 (PREVIOUSLY RECORDED AS 89) DEGREES 04 MINUTES WEST 114.43 FEET; THENCE SOUTH 61 DEGREES 38 MINUTES 30 SECONDS WEST, 451.79 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST 1/4 OF SECTION II, TOWN I NORTH, RANGE II EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION II; THENCE NORTH 00 DEGREES 06 MINUTES 33 SECONDS WEST 1083.87 FEET ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION II; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 782.43 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF STEPHENSON HIGHWAY (204.00 FEET THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 514.39 FEET TO A POINT ON THE EASTERLY LINE OF LIPTON SUBDIVISION AS RECORDED IN LIBER 72 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID LIPTON SUBDIVISION NORTH 00 DEGREES 10 MINUTES 42 SECONDS WEST 125.00 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS EAST 509.81 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID STEPHENSON HIGHWAY; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STEPHENSON HIGHWAY 125.09 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 38095.00 FEET; CENTRAL ANGLE 00 DEGREES 11 MINUTES 17 SECONDS; CHORD BEARING = SOUTH 02 DEGREES 16 MINUTES 36 SECONDS EAST, A DISTANCE OF 125.09) TO THE POINT OF BEGINNING.

Site Planning Data

PLANS PREPARED BY
JOHN DEBRUYNE (586) 286-9100 JDEBRUYNE@VISITSDA.COM
C/O SDA ARCHITECTS, INC.
42490 GARFIELD - SUITE 204
CLINTON TOWNSHIP, MI 48038

PROJECT NAME
2SP SPORTS PERFORMANCE - MADISON HEIGHTS

PROJECT DESCRIPTION
PROPOSED 9,019 S.F. SINGLE STORY ADDITION TO AN EXISTING INDOOR SPORTS TRAINING FACILITY. INCLUDES ASSOCIATED SITE IMPROVEMENTS.

APPLICANT INFORMATION
KIRK NEAL (248)842-4096 KIRK@2SPSPORTS.COM
C/O 2SP SPORTS PERFORMANCE, LLC
29235 STEPHENSON HWY
MADISON HEIGHT, MI 48071

PROPERTY OWNER NAME
TJ PROPERTY MANAGEMENT, LLC
29235 STEPHENSON HWY
MADISON HEIGHT, MI 48071

TAX I.D.: 44-25-11-376-022

SITE AREA: 63,940 SQ. FT. / 1.47 ACRES

BUILDING SIZE:
20,967 SQ. FT. EXISTING
4,629 SQ. FT. EXISTING SECOND FLOOR
8,992 SQ. FT. PROPOSED ADDITION
34,588 SQ. FT. TOTAL

MINIMUM FRONT YARD BUILDING AND PARKING SETBACK: 50 FT.

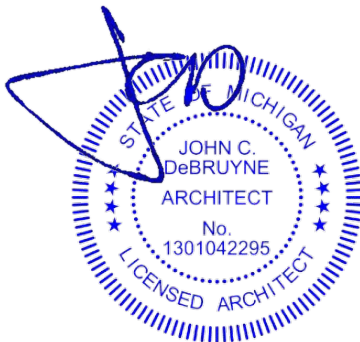
MINIMUM REAR YARD SETBACK ADJACENT TO RESIDENTIAL: 50 FT. (VARIANCE FOR 30 FT. SETBACK GRANTED ON JUNE 1, 2023).

MINIMUM SIDE YARD SETBACK: 20 FT.

MAXIMUM BUILDING HEIGHT: 40 FT.

PARKING REQUIREMENT: TO BE DETERMINED BY THE SITE PLAN REVIEW COMMITTEE BASED ON PARKING DEMAND DATA PROVIDED BY THE APPLICANT.

PARKING DEMAND DATA:
AT NORMAL PEAK DEMAND
14 SPACES FOR ADDITION'S SPORTS FIELD
28 SPACES FOR EXISTING SPORTS FIELD
7 SPACES FOR GYM
6 SPACES FOR EMPLOYEES
2 SPARE SPACES
57 TOTAL SPACES REQUIRED AND PROPOSED (INCLUDING 3 ACCESSIBLE SPACES)



10/12/2026

em 3.



LEGAL DESCRIPTION

THE SOUTH 125 FEET OF THE NORTH 450 FEET OF THE PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 11 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 POST; THENCE SOUTH 88 DEGREES 53 MINUTES 10 SECONDS WEST ALONG THE SOUTH SECTION LINE 1292.17 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 45 MINUTES WEST ALONG SAID WEST LINE 229.92 FEET TO THE CENTERLINE OF RED RUN DRAIN AND TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 0 DEGREES 45 MINUTES WEST, 1312.09 FEET; THENCE NORTH 89 DEGREES 15 MINUTES EAST, 496.30 FEET TO THE WEST LINE OF STEPHENSON HIGHWAY RIGHT OF WAY; THENCE ON A CURVE TO THE RIGHT (RADIUS 38,095 FEET), CHORD BEARS SOUTH 02 DEGREES 55 MINUTES 06 SECONDS EAST 797.12 FEET; A DISTANCE OF 767.14 FEET; THENCE SOUTH 2 DEGREES 19 MINUTES 10 SECONDS EAST, 340.89 FEET TO THE CENTERLINE OF RED RUN DRAIN; THENCE ALONG CENTERLINE SOUTH 85 DEGREES 04 MINUTES WEST 114.43 FEET; THENCE SOUTH 67 DEGREES 38 MINUTES 30 SECONDS WEST, 451.79 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 11 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 11; THENCE NORTH 00 DEGREES 06 MINUTES 33 SECONDS WEST 1083.87 FEET ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 11; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 782.43 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF STEPHENSON HIGHWAY 204.00 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 514.39 FEET TO A POINT ON THE EASTERLY LINE OF LIPTON SUBDIVISION AS RECORDED IN LIBER 72 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID LIPTON SUBDIVISION NORTH 00 DEGREES 10 MINUTES 42 SECONDS WEST 125.00 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS EAST 509.81 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID STEPHENSON HIGHWAY; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STEPHENSON HIGHWAY 125.09 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 38095.00 FEET; CENTRAL ANGLE 00 DEGREES 11 MINUTES 17 SECONDS; CHORD BEARING = SOUTH 02 DEGREES 18 MINUTES 36 SECONDS EAST, A DISTANCE OF 125.09) TO THE POINT OF BEGINNING.

SITE DATA:

ADDRESS

29235 STEPHENSON HWY

PID:

25-11-376-022

ZONING: M-1

LEGEND

- SECTION CORNER
FOUND IRON, MON., NAIL
SET IRON
RECORDED
MEASURED
CALCULATED
- EXISTING
ELEC., PHONE OR CABLE TV D.H. LINE, POLE & GUY WIRE
UNDERGROUND CABLE TV
TELEPHONE U.G. CABLE, SPlicing BOX & MANHOLE
ELECTRIC U.G. CABLE & MANHOLE
GAS MAIN & VALVE
WATERMAIN, HYD., GATE VALVE, TAPPING SLEEVE & VALVE
SANITARY SEWER, CLEANOUT & MANHOLE
STORM DRAIN & MANHOLE
COMBINED SEWER & MANHOLE
CATCH BASIN, INLET
YARD BASIN
STORM DRAIN & END SECTION
POST INDICATOR VALVE
WATER SERVICE SHUTOFF, HYDRANT VALVE BOX
MAILBOX
POINT ELEVATION (AT X OR END OF LEADER)
CONTOUR LINE
FENCE
GUARD RAIL
STREET LIGHT
SIGN
TREE

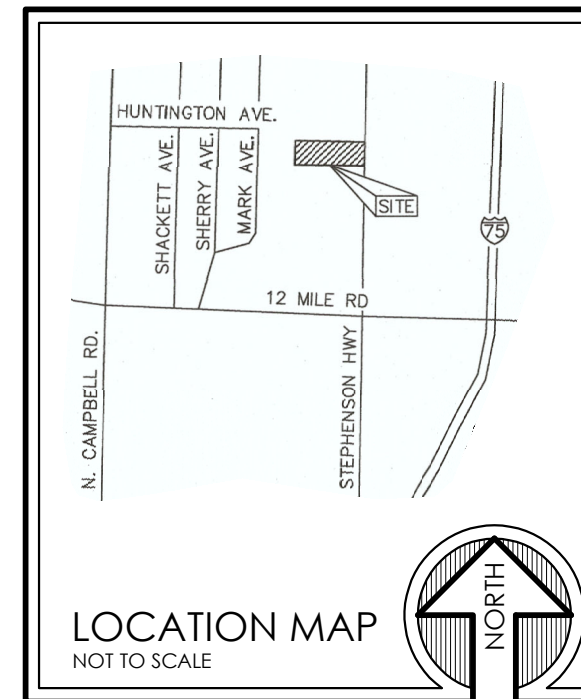
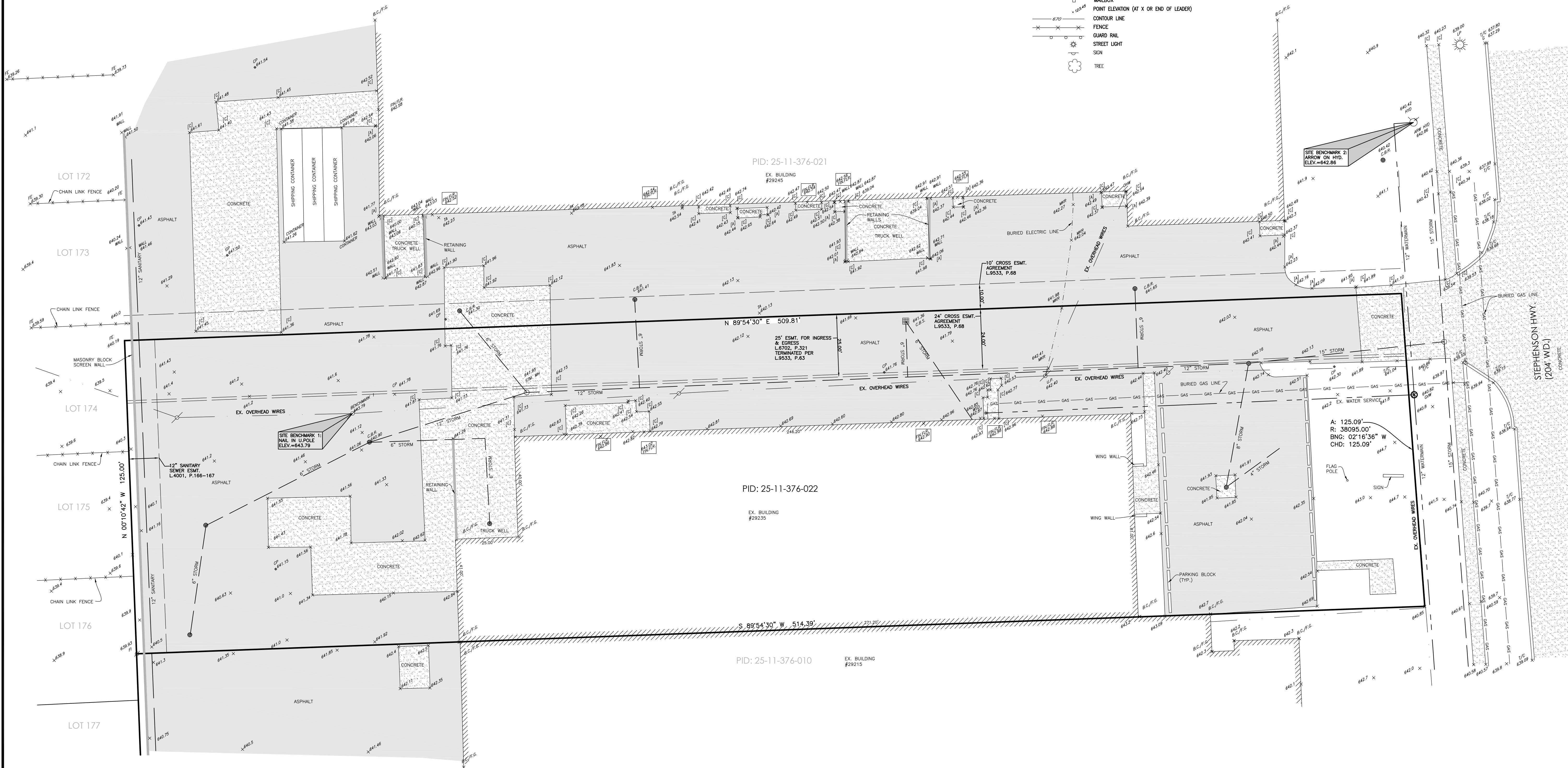
SITE BENCHMARKS

(NAVD88 DATUM)

BENCHMARK #1

NAIL IN WEST SIDE OF UTILITY POLE
AT REAR OF SUBJECT PROPERTY.
ELEV.=643.79

SITE BENCHMARK#2:

ARROW ON HYDRANT 169 FEET NORTH
OF NORTHEAST CORNER OF
SUBJECT PROPERTY.
ELEV.=642.86

Utility Information, as shown, indicates the approximate locations and types of utilities as disclosed to this firm by various utility company's marking(s) and/or plans provided.

No guarantee is provided or implied as to the existence, accuracy or completeness of any utilities.

All locations and depths of any utilities that may exist shall be verified in the field by others prior to the start of construction.

Extreme caution shall be utilized during construction when operating near overhead and/or buried utilities.

CALL MISS DIG 72 HOURS (3 WORKING DAYS - EXCLUDING SAT., SUN. & HOLIDAYS)
CALL MISS DIG 1-800-482-7171
OR 811
(TOLL FREE) FOR THE LOCATION OF UNDER GROUND FACILITIES

Know what's below.

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TOPOGRAPHIC MAPPING
29235 STEPHENSON HWY
PART OF THE SW 1/4 OF SECTION 11, T1N, R11E
MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN

DISTRIBUTION	
☐	PRELIMINARY
☐	APPROVAL
☐	CONSTRUCTION
☐	AS-BUILT
REVISIONS	
DATE	REMARKS

SEAL

CLIENT
SDA ARCHITECTS, INC.
42490 GARFIELD STE. 204
CLINTON TOWNSHIP, MI 48038
PHONE: 586-286-9100

PROJECT NAME
29235
STEPHENSON HWY

PROJECT NUMBER
C26-038

SHEET NAME
TOPOGRAPHIC
MAPPING

DRAWING SCALE: 1" = 20'
SHEET SIZE: 24X36
DATE: 10/7/26
PROJECT MANAGER: JSR, PE
DESIGNED BY: N/A
DRAWN BY: R.PERRI
FIELD BY: VA/MS
CHECKED BY: JSR, PE

SHEET NUMBER
1 OF 1



29235 Stephenson Hwy
 Madison Heights, MI 48071
 248-397-8945 | 2spsports.com

2SP Sports – Madison Heights (Corporate Headquarters)
 29235 Stephenson Highway
 Madison Heights, MI 48071
 248.397.8945
 www.2spsports.com

MEMORANDUM OF UNDERSTANDING

Date: 6/24/2026

Between:

TJ Property Management LLC / 2SP Sports
 29235 Stephenson Highway
 Madison Heights, MI 48071
 and

JIER North America, Inc.
 29215 Stephenson Highway
 Madison Heights, MI 48071

RE: Building Expansion and Temporary Construction Access

To Whom It May Concern:

TJ Property Management LLC, on behalf of 2SP Sports, is planning an expansion of the building located at 29235 Stephenson Highway, Madison Heights, Michigan.

The proposed project consists of an approximately 80-foot by 100-foot addition to the rear of the existing building. The addition is planned directly along the shared property line between the properties located at 29235 Stephenson Highway and 29215 Stephenson Highway.

Because the proposed building wall will be constructed on the property line, certain phases of construction may require temporary access to portions of JIER North America's property for activities including, but not limited to, excavation, foundation work, wall construction, equipment operation, material placement, inspections, and related construction activities.

JIER North America acknowledges the proposed expansion and agrees to provide reasonable temporary access to the portions of its property reasonably necessary to complete construction of the addition, subject to reasonable advance notice and coordination between the parties.

2SP Sports agrees to:

1. Coordinate all access activities with JIER North America in advance.
2. Maintain appropriate insurance coverage throughout the construction process.
3. Take reasonable measures to minimize disruption to JIER's operations.
4. Repair any documented damage to pavement, landscaping, fencing, or other improvements directly caused by construction activities.
5. Restore all affected areas to substantially the same condition existing prior to construction.

Prior to commencement of construction, the parties may document the existing condition of the access area through photographs or other mutually acceptable means.

2SP Sports will keep JIER North America reasonably informed regarding project scheduling and major construction milestones.

This Memorandum of Understanding reflects the parties' mutual understanding regarding the proposed expansion and temporary construction access associated with the project.

ACKNOWLEDGED AND AGREED

TJ PROPERTY MANAGEMENT LLC / 2SP SPORTS

By: [Signature]
 Name: KIRK NEAL
 Title: COG
 Date: 6/24/26

JIER NORTH AMERICA, INC.

By: [Signature]
 Name: Matthew Novak
 Title: Service Manager
 Date: 7/14/26

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Meeting of the Madison Heights **Zoning Board of Appeals** will be held in the **City Council Chambers** of the Municipal Building at **300 W. 13 Mile Road**, Madison Heights, Oakland County, Michigan 48071 on **Thursday, November 5th, 2026 10:00 a.m.** to consider the following requests:

Item 3.

1. Case # PZBA 26-04: 29235 Stephenson Hwy.

REQUEST: The applicant and property owner, Kirk Neal c/o TJ Property Management, LLC, requests three (3) variances from the Madison Heights Zoning Ordinance: One (1) variance from Section 3.17 & Section 4.02 pertaining to side-yard setback requirements in the M-1 zoning district; one (1) variance from Section 10.01(2) pertaining to front-yard parking setback requirements; and one (1) variance from Section 11.06 pertaining to minimum parking lot landscaping requirements. The subject property is located at 29235 Stephenson Highway (TM# 44-25-11-376-022) and is zoned M-1, Light Industrial district.

The applications and any supporting documents can be viewed during regular business hours at the Community & Economic Development Department. In addition, the agenda item can be viewed online at www.madisonheightsmi.gov in the Agenda Center after 4:00 p.m. on the Friday before the meeting.

If you are unable to attend the meeting, you can send your comments via email to: MLonnerstater@madisonheightsmi.gov and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

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MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
(248) 583-0831

- D. Townhome structures are subject to the dimensional standards of [Section 7.03\(45\)](#). Where the dimensional/design standards of the zoning district and the use-specific standards for townhomes conflict, the use-specific standards for townhomes shall take precedence.
- E. The distance between principal structures located on adjacent lots shall not be less than twelve (12) feet.
- F. One-family, duplex, and multi-plex structures within the R-MF district shall be subject to the setback standards of the R-MN district, including footnote (E) above.

Section 4.02 Mixed-Use and Non-Residential Districts Schedule of Regulations

District	Minimum Lot Size		Maximum Building Height (ft.)	Minimum Yard Setback (ft.)					Maximum Lot Coverage
	Area (sq. ft.)	Width (ft.)		Front	Sides			Rear	
					One	Total	Street		
CC	Refer to Section 6.02								
MUI-1	Refer to Section 3.20								
MUI-2	Refer to Section 3.21								
O-1	--	--	30	20	5 (A)	10 (A)	10	20	--
B-1	--	--	30	5	5 (A)	10 (A)	5	15 (B)	--
B-2	--	--	40	10	10 (A)	20 (A)	10	20 (B)	--
B-3	--	--	40	20	15 (A)	30 (A)	20	20 (B)	--
M-1	--	--	40	50	20 (A)	40 (A)	50	25	--
M-2	--	--	60	50	20 (A)	40 (A)	50	25	--
NP	43,560	150	25	25	10	25	10	50	20%

Notes applicable to all Districts:

- Refer to [Article 7](#) for standards applicable to specific uses.
- Refer to [Section 8.01](#) for exceptions to area, setback, and height requirements.
- Refer to [Section 8.03](#) for accessory buildings, structures and uses.
- Refer to [Article 10](#) for parking area setback requirements.
- Refer to [Article 11](#) for landscaping, buffering and screening requirements.
- Refer to [Article 13](#) for Nonconforming Structures and Lots.

Footnotes

- A. For side yards abutting residential districts:
- In the O-1, B-1, B-2 and B-3 districts, the minimum side yard shall be increased to 20 feet.
 - In the M-1 and M-2 districts, the minimum side yard shall be increased to 50 feet.

B. For rear yards abutting residential districts:

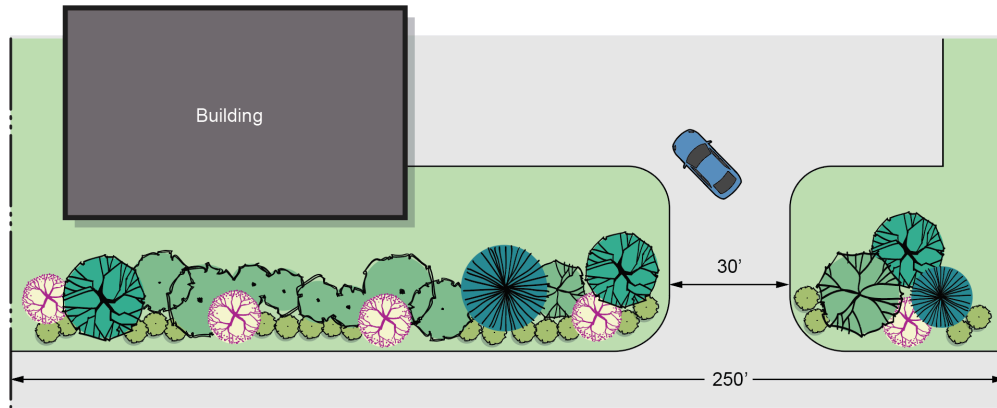
- (1) In the B-1 district, the minimum rear yard setback shall be increased to 20 feet.
- (2) In the B-2 and B-3 districts, the minimum rear yard setback shall be increased to 25 feet.
- (3) In the M-1 and M-2 district, the minimum rear yard setback shall be increased to 50 feet.

Article 10.

Parking, Loading, and Access Management

Section 10.01 Intent and General Parking Requirements

1. **Intent.** The purpose of this article is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the city or with land uses allowed by this chapter. The article is further intended to limit the amount of excess parking/impervious surface in the City to reduce stormwater runoff.
2. **General Provisions.** Unless otherwise noted in this Article or Zoning Ordinance, there shall be provided in all districts at the time of erection or enlargement of any main building or structure, or at the time of change of use, an off-street vehicle parking area with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses, shall be provided prior to the issuance of a Certificate of Occupancy, as hereinafter prescribed.
 - A. **Use of Parking Spaces.** The use of required parking spaces for material storage, refuse storage and containers, storage and display of vehicles and/or other merchandise, or for vehicle or machinery repair or maintenance is expressly prohibited.
 - B. **Location.** Off-street parking areas shall be sited, as follows:
 - (1) **Residential Districts:** With the exception of parking associated with single-family, two-family, or multiplex dwellings, off-street parking is prohibited within the required front yard setback in residential districts. Parking areas shall be sited in a manner that achieves perimeter landscaping requirements, [Section 11.06](#), Parking Lot Landscaping.
 - (2) **O-1, B-1, B-2, and B-3 Districts:** Off-street parking spaces shall be sited in a manner that achieves Perimeter Landscaping requirements, [Section 11.06](#), and Transitional Landscaping Requirements [Section 11.04](#).
 - (3) **M-1/M-2 Districts:** Off-street parking is prohibited within the required front yard setback. Off-street parking spaces shall further be sited in a manner that achieves Perimeter Landscaping requirements, [Section 11.06](#), and Transitional Landscaping Requirements, [Section 11.04](#).
 - (4) **Mixed-Use Districts (CC and MUI):** Off-street parking shall be located in the side or rear yard only, as further restricted in [Article 6](#) (City Center), [Section 3.20](#) (MUI-1), and [Section 3.21](#) (MUI-2). Parking areas within a side yard shall be located behind the front setback line of the principal building but shall in no case be located less than five (5) feet from the front property line or street side property line. Off-street parking spaces shall further be sited in a manner that achieves Perimeter Landscaping requirements, [Section 11.06](#), and Transitional Landscaping Requirements, [Section 11.04](#).
 - C. **Landscaping.** Parking Lots shall be screened and landscaped in accordance with [Article 11](#) (Landscaping).



Frontage Landscaping

Section 11.06 Parking Lot Landscaping

In addition to other required landscaping herein, parking lots shall be planted with interior, right-of-way, and perimeter landscaping in accordance with this Section.

1. **Interior Parking Lot Landscaping.** In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, parking lot islands (landscaped with raised curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. Parking lot landscaping must be distributed at even intervals throughout the lot, to provide more complete shade coverage and – in the cases of swales – stormwater capture.

Parking lot islands with raised curbs and landscaping shall not be required in parking structures; however, painted islands must be provided. Interior parking lot landscaping shall conform with the following:

- A. Off-street parking areas containing ten or more parking spaces shall provide five square feet of parking lot landscaping per parking space. Parking lots containing less than ten space are exempted from the interior landscaping standards:
 - (1) Parking lot islands shall be a minimum of ten feet wide.
 - (2) Landscaping islands shall be used to subdivide parking areas into parking bays with not more than 40 spaces, provided that no more than 15 spaces shall be in an uninterrupted row.
 - (3) All required parking lot landscaping shall be designed to conform to the following requirements:
 - (4) The parking lot landscaping area groundcover shall be grass, living ground cover, wood chips, mulch, or any combination of the above.
 - (5) One deciduous canopy tree shall be required for every 100 square feet of required parking lot landscaping area, with fractions rounded up.
 - (6) Parking lot landscaping areas shall be curbed with 6" concrete curbing. Alternatively, the approving body may approved recognized best management practices for stormwater management, such as curb-less bioswales or rain gardens.
 - B. For surface lots where internal traffic circulation is forecasted to be low or where the raised islands would not be appropriate, the Technical Review Committee or the approving body may waive the requirement for raised parking lot islands and may allow for painted islands only.
2. **Right-Of-Way Screening.** Where parking lots are adjacent to sidewalks, streets, and other public rights-of-way, or located within 50 feet of a right-of-way, landscaped screening shall be provided between the public right-of-way and the parking area consisting of one or a combination of the following:

mean any departure from the operation or use described in the approved application or any change that may cause external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display.

Section 15.06 Variances and Appeals

1. **Administrative Appeals.** The Zoning Board of Appeals shall have the power to hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or interpretation made by the Planning and Zoning Administrator, zoning enforcement officer, or any other administrative official, board or commission in carrying out or enforcing any provision of this Ordinance, except where this Ordinance prohibits Zoning Board of Appeal Action (e.g. direct appeal to Circuit Court).
 - A. An appeal to the Zoning Board of Appeals based in whole or in part on the provisions of this Ordinance may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, board or bureau affected by the decision of the building inspector aggrieved by the decision, order, requirement, or determination made by the Planning and Zoning Administrator, Technical Review Committee, Planning Commission, zoning enforcement officer, or other administrative official or board or commission tasked with administering or enforcing the provisions of this Ordinance. Such appeal shall be taken by filing a notice of appeal with the Planning and Zoning Administrator on appropriate forms provided by the Community and Economic Development Department. The Planning and Zoning Administrator shall transmit all papers constituting the records of such appeal to the board. The board may require the applicant to furnish such surveys, plans or other information as may be required for the proper consideration of the matter. Upon a hearing before the board, any person or party may appear in person, or by agent, or by attorney.
 - B. **Time for Appeal.** An appeal shall be filed to the Planning and Zoning Administrator within thirty (30) days from the date listed on the Notice of Action referring to the order, requirement, decision, or determination which is the subject of the appeal.
 - C. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended) and Section 15.01.
 - D. The board may reverse or affirm wholly or partly or may modify the order, requirement, decision or determination as, in its opinion, ought to be made in the premises and, to that end, shall have all the powers of the officer from whom the appeal is taken. The concurring decision of a majority of the members of the board shall be necessary to reverse an order, requirement, decision or determination of an administrative officer or body, or to decide in favor of the applicant a matter upon which they are required to pass under an ordinance, or to effect a variation in an ordinance. An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector certifies to the Zoning Board of appeals after notice of appeal shall have been filed with him that by reason of facts stated in the certificates a stay would cause imminent peril to life and property, in which case the proceedings shall not be stayed otherwise than by a restraining order which shall be granted by the Zoning Board of Appeals or by the Circuit Court on application, on notice of the building inspector and on due cause shown.
2. **Variances.** The ZBA shall have the power to authorize, upon application, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulations, yard width and depth regulations; such requirements as off-street parking and loading space, requirements, sign regulations and other similar requirements as specified in the Ordinance, provided such modifications will not be inconsistent with the purpose and intent of such requirements. In granting a variance, the Zoning Board of Appeals shall make findings that a "practical difficulty" has been shown by the applicant by finding that all of the following requirements have been met by the applicant's petition:
 - A. That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
 - B. That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and

- C. That plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and
- D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance, provided that said conditions:

- (1) Are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public; and
- (2) Are necessary to meet the intent and purpose of this Ordinance, are related to the standards established in the section for the land use or activity under consideration and are necessary to ensure compliance with those standards.

- 3. **Use Variances Prohibited.** The Zoning Board of Appeals shall not have the authority to grant a use variance to permit a use that is not permitted in a zoning district. However, the Zoning Board of Appeals may consider expansions or alterations of non-conforming uses in accordance with [Section 13.01](#).
- 4. **Approval Period.**
 - A. No order of the Zoning Board of Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
 - B. No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.
- 5. **Appeals of Decisions to Circuit Court.** The decision of the ZBA shall be final. An appeal of a decision of the Zoning Board of Appeals shall be taken to the Oakland County Circuit Court within a time period specified in the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) and by such persons permitted by State statute and common law. Upon appeal, the court shall review the record and decision of the ZBA to ensure that the decision complies with the constitution and laws of the state, is based upon proper procedure, is supported by competent, material, and substantial evidence on the record and represents the reasonable exercise of discretion granted by law to the ZBA. As a result of this review required by this Section, the court may affirm or modify the decision of the ZBA.
- 6. **Resubmittal.** No application for a variance which has been denied in whole or in part by the Zoning Board of Appeals shall be re-submitted for a period of three hundred sixty five (365) days from such denial, except on the ground of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

Section 15.07 Zoning Ordinance Amendments (Map and Text)

The City Council may amend, supplement, or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 110, of the Public Acts of 2006, as amended. Changes in the text or zoning district boundaries of this Ordinance may be proposed by the Planning Commission, Planning and Zoning Administrator, other City Staff, or any interested person or organization.



MEMORANDUM

Date: October 30th, 2026

Meeting Date: November 5th, 2026

To: City of Madison Heights Zoning Board of Appeals

From: Matt Lonnerstater, AICP – City Planner

Subject: Recommendation of ZBA Representative to Planning Commission

Introduction

The Madison Heights Code of Ordinances, Section 2-109, states that one appointed member of the Planning Commission may be a member of the Zoning Board of Appeals. As you know, former ZBA member Cliff Oglesby had been fulfilling this role but recently resigned from both boards. Therefore, there is one open seat on the Planning Commission reserved for a ZBA member.

Staff looks to the ZBA to recommend one of its members to serve on the Planning Commission. The recommended member will be forwarded onto City Council for formal appointment. Similar to chair appointments, a recommendation should involve a nomination, acceptance of nomination, and formal vote.