



CITY OF MADISON HEIGHTS
COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.
ZONING BOARD OF APPEALS MEETING AGENDA
OCTOBER 01, 2026 AT 6:30 PM

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

1. Additions/Deletions

APPROVAL OF MINUTES

- [2.](#) April 2nd, 2026 Meeting Minutes

PUBLIC HEARING

- [3.](#) **PZBA 26-03: 91 E. Harwood Avenue**

REQUEST: The applicant and property owner, Naiel Yousif, requests a variance from Section 7.03.10 of the Madison Heights Ordinance pertaining to driveway standards for detached one-family dwellings and duplexes. The property is located at 91 E. Harwood Ave (tax parcel #44-25-24-301-021), zoned R-3, One-Family Residential, and is 0.10 acres (4,356 square feet) in size.

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

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.

Zoning Board of Appeals Meeting
Madison Heights, Michigan
April 02, 2026

A Zoning Board of Appeals Meeting was held on Thursday, April 02, 2026 at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Rd.

PRESENT: Chair Kimble Loranger and members: Covert, Hussien, Loranger, Marentette, and Sagar

ABSENT: Aaron, Corbett, Hilliard, and Oglesby,

ZBA 16-26. Excuse member(s).

Motion made by Ms. Covert, Seconded by Ms. Marentette, to excuse Councilwoman Aaron, Ms. Linda Corbett, Mr. Jeffrey Hilliard, and Mr. Clifford Oglesby from tonight's meeting.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 17-26. Election of Officers - Chair.

Mr. Loranger called for nominations for the position of Chair of the Board.

Ms. Covert nominated Del Loranger as Chair.

Mr. Loranger accepts the nomination for the Chair position.

Motion made by Ms. Covert, Seconded by Ms. Marentette, to approve Del Loranger as Chair.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 18-26. Election of Officers - Vice Chair.

Mr. Loranger called for nominations for the position of Vice Chair of the Board.

Ms. Marentette nominated Martha Covert as Vice Chair.

Ms. Covert accepts the nomination for the Vice Chair position.

Motion made by Ms. Marentette, Seconded by Chair Loranger, to approve Martha Covert as Vice Chair.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 19-26. Minutes.

Motion made by Ms. Covert, Seconded by Mr. Sagar, to approve the February 5, 2026, Meeting Minutes as presented.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 20-26. Minutes.

Motion made by Ms. Marentette, Seconded by Ms. Covert, to approve the March 5, 2026, Meeting Minutes as presented.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 21-26. Case # PZBA 26-02 – Dimensional Variance – 32420 Stephenson Hwy.

City Planner Lonnerstater reviewed the staff report provided in the meeting packet, incorporated herein:

REQUEST

The applicant, Troy Madison Extended Stay, requests a variance from the Madison Heights Zoning Ordinance pertaining to off-street parking location standards. The property is located at 32420 Stephenson Highway (tax parcel # 44-25-02-176-028) and is zoned MUI-2, Mixed-Use Innovation 2. The property is 3.44 acres in size and is located on the east side of Stephenson Highway south of 14 Mile Road. The site is currently improved with a 120-room hotel (Hampton Inn) but has a large grass lawn at the rear. The applicant intends to construct a new 82-room hotel at the rear of the site with shared parking between the two hotels.

A variance is requested from Section 10.01.2.B.4 (Intent and General Parking Requirements – Location) which states:

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). [...].

Concurrent with the new hotel development, the applicant proposes to construct twenty (20) new parking spaces within the front yard area of the Hampton Inn between the building and the road right-of-way. The image below shows an existing aerial view of the property, with the new parking areas shown in the white boxes.

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

The intent of the front-yard parking restriction is to ensure that the streetscape isn't dominated by the appearance of parked vehicles. This is especially true along Stephenson Highway which, for the most part, has been historically defined by industrial buildings and warehouses with deep front setbacks and large front yard areas. Over time, front yard parking areas have been established along Stephenson, particularly on properties associated with commercial and lodging uses. For example, the hotels and restaurants along Stephenson to the north of the subject property all feature front-yard parking areas.

While the extent of the proposed front yard parking is limited, efforts should be taken to ensure that proper landscape screening is planted to reduce the visual impact of parked vehicles. Right of way screening and frontage landscaping is proposed on the concept plan. Additional right of way screening will be required adjacent to the new parking space in the southwest corner of the site.

Staff is concerned about the proposed parking space located immediately to the southwest of the canopy. The visibility of a vehicle parked in this space could potentially be obstructed by the canopy column; this space should be removed.

One parking space will need to be removed from the row of sixteen (16) spaces to meet Zoning Ordinance standards.

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.

If a motion to approve the variance is 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 as it pertains to front yard parking, with the exception of the following required modifications:
 - (a) Right-of-way landscaping shall be provided in front of all new parking areas, including the new space in the southwest corner of the site, in accordance with Section 11.06.2.
 - (b) Frontage landscaping shall be provided in accordance with Section 11.05 for the entire site frontage along Stephenson Highway.
 - (c) No more than fifteen (15) parking spaces shall be provided in an uninterrupted row, in accordance with Section 11.06.1.A
 - (d) The proposed parking space immediately to the southwest of the canopy shall be removed for visibility and safety purposes.
2. Additional front yard parking above and beyond that approved by this variance shall require new application in front of the Zoning Board of Appeals.

ZBA ACTION

City Planner Lonnerstater explained that the property is zoned MUI-2. The applicant is building a new 82-room hotel at the rear of the site. The ordinance requires one parking space per room, totaling 202 required spaces, and they are proposing 200 spaces. The ordinance requires parking on side or rear yards. The applicant wants relief to add parking rows in the front yard area. Staff suggests conditions: removing one space from the top

row to meet the 15-space limit per row, removing one space near the canopy for visibility, and adding heavy landscaping.

Mark Wright, Architect representing Troy Madison Extended Stay, has no issues with staff recommendations and wants to use the existing drive efficiently.

Mr. Rahul questioned the necessity of parking spaces for a hotel that rarely sells out.

Cameron Kejbou, Manager at Troy Madison Extended Stay, noted that they sell out occasionally in the summer but usually have enough parking spaces.

Assistant City Attorney Burns clarified the board must focus on whether the applicant meets the variance criteria, not whether they "like" the plan.

Chair Loranger opened the public hearing at 7:49 p.m. Seeing no one wished to comment, the public hearing was closed at 7:49 p.m.

Motion made by Ms. Covert, Seconded by Mr. Hussien, **MOVE THAT** the Zoning Board of Appeals APPROVE a variance from Section 10.01.2.B(4) of the Zoning Ordinance to permit parking spaces within a required front yard at 32420 Stephenson Highway. This motion, being made after the required public hearing, is based upon the following findings:

- 1) Section 10.01.2.B(4) limits the placement of new parking spaces to required side and rear yards; and
- 2) Strict compliance with the parking location standards would unreasonably prevent the owner from providing the minimum amount of required parking on site for the proposed use; and
- 3) 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
- 4) The plight of the owner is due to unique circumstances of the property; and
- 5) The requested variance is the minimum amount necessary to permit reasonable development of the land, building or structure; and
- 6) With conditions, 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.

Approval is granted with the following conditions designed to ensure compliance with the intent and purpose of the use-specific regulations:

1. The Major Site Plan, when submitted, shall be substantially consistent with the conceptual site plan provided within this variance application as it pertains to front yard parking, with the exception of the following required modifications:
 - (a) Right-of-way landscaping shall be provided in front of all new parking areas, including the new space in the southwest corner of the site, in accordance with Section 11.06.2.
 - (b) Frontage landscaping shall be provided in accordance with Section 11.05 for the entire site frontage along Stephenson Highway.
 - (c) No more than fifteen (15) parking spaces shall be provided in an uninterrupted row, in accordance with Section 11.06.1.A
 - (d) The proposed parking space immediately to the southwest of the canopy shall be removed for visibility and safety purposes.
2. Additional front yard parking above and beyond that approved by this variance shall require new application in front of the Zoning Board of Appeals.

Motion made by Mr. Sagar, to **AMEND** the current motion to only approve the north side parking and keep the south side green. No other member seconded the motion.

Amended motion failed.

Voting Yea: Covert, Hussien, Loranger, Marentette

Voting Nay: Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 22-26. Public Comment: For items not listed on agenda.

Seeing no one wished to comment, Chair Loranger opened public comment at 8:00 p.m. and closed the public comment at 8:00 p.m.

ZBA 23-26. Consideration of new meeting time.

Motion made by Ms. Marentette, Seconded by Ms. Covert, to approve changing the start time for the Zoning Board of Appeals meetings to 6:30 PM.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

ZBA 24-26. Adjournment.

Motion made by Ms. Covert, Seconded by Mr. Sagar.

Voting Yea: Covert, Hussien, Loranger, Marentette, and Sagar

Absent: Aaron, Corbett, Hilliard, and Oglesby

Motion carried.

There being no further business, Chair Loranger adjourned the meeting at 8:26 p.m.

DRAFT



MEMORANDUM

Report Date: September 25th, 2026
 To: City of Madison Heights Zoning Board of Appeals
 Meeting Date: October 1st, 2026
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Dimensional Variance for Parking in front of a Residential Dwelling
 PZBA 26-03 – 91 E. Harwood

REQUEST

The applicant and property owner, Naiel Yousif, requests a variance from Section 7.03.10 of the Madison Heights Ordinance pertaining to driveway standards for detached one-family dwellings and duplexes. The property is located at 91 E. Harwood Ave (tax parcel #44-25-24-301-021), zoned R-3, One-Family Residential, and is 0.10 acres (4,356 square feet) in size. The property is currently improved with a legally non-conforming duplex with an attached one-car garage accessed by an 8 ft. wide driveway.

The applicant requests a variance from Section **7.03.10.C(4)** which states:

Driveways leading to an Attached Garage: [...] In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.

Section 7.03.12 states that duplexes “shall comply with all Detached One-Family standards” with only minor exemptions. Therefore, the prohibition on driveways in front of the dwelling applies to duplexes.

The applicant proposes to construct an 8’ x 16’ parking pad in the front yard adjacent to the existing driveway. Due to limited space on the property, the parking pad is proposed in front of the residential dwelling against Zoning Ordinance standards.

Aerial View – 91 E. Harwood (Lot #76)



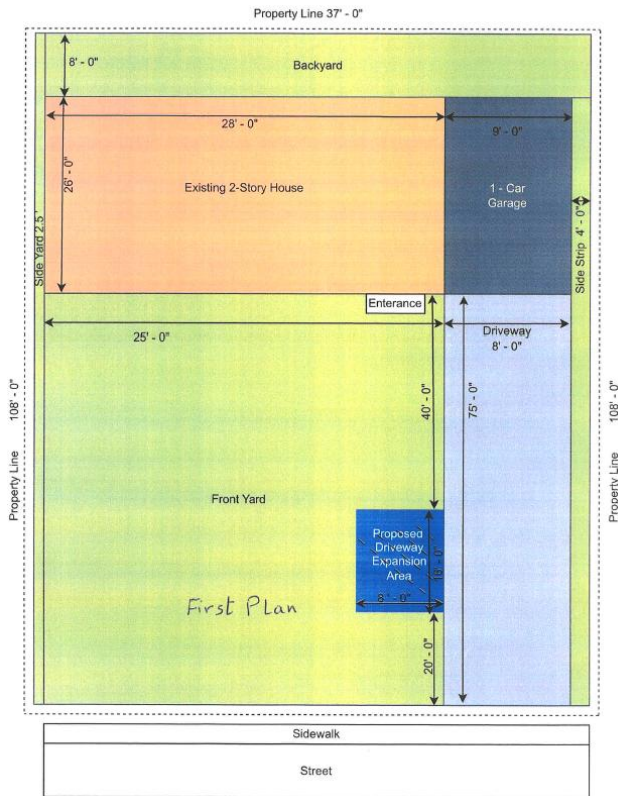
91 E. Harwood - Streetview**ZONING ORDINANCE STANDARDS AND PROPOSED IMPROVEMENTS****Detached One-Family Dwellings/Duplexes**

The applicant is seeking relief from Section 7.03.10.C(4) of the Zoning Ordinance, in full as follows:

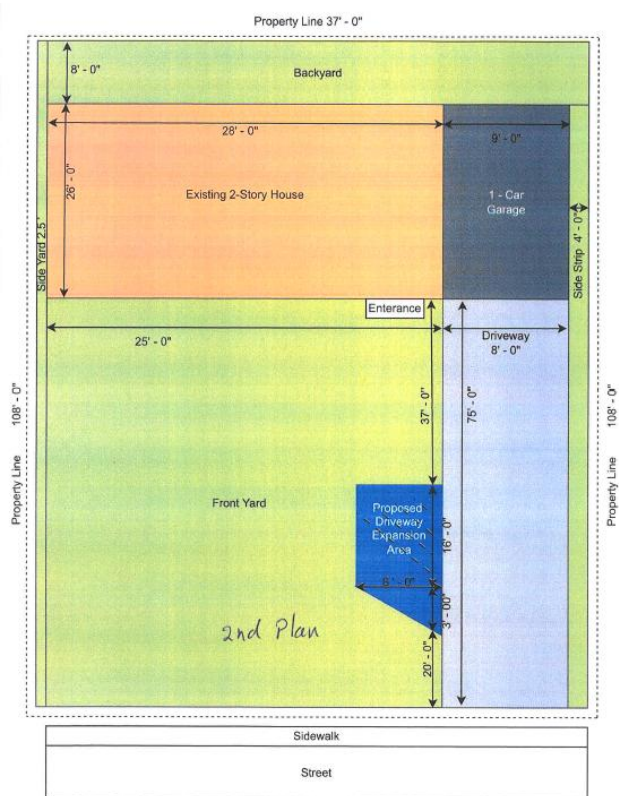
(4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.

The applicant proposes an 8' x 16' parking pad (large enough for one vehicle) adjacent to the existing 8'-wide driveway. Due to the unique placement of the duplex towards the rear of the parcel, and due to the lack of a side yard, the parking pad is proposed directly in front of the residential dwelling. The applicant has provided two options for the parking pad: (1) Non-Tapered and (2) Tapered.

Non-Tapered



Tapered



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:

- 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
- 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
- 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
- That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- 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).

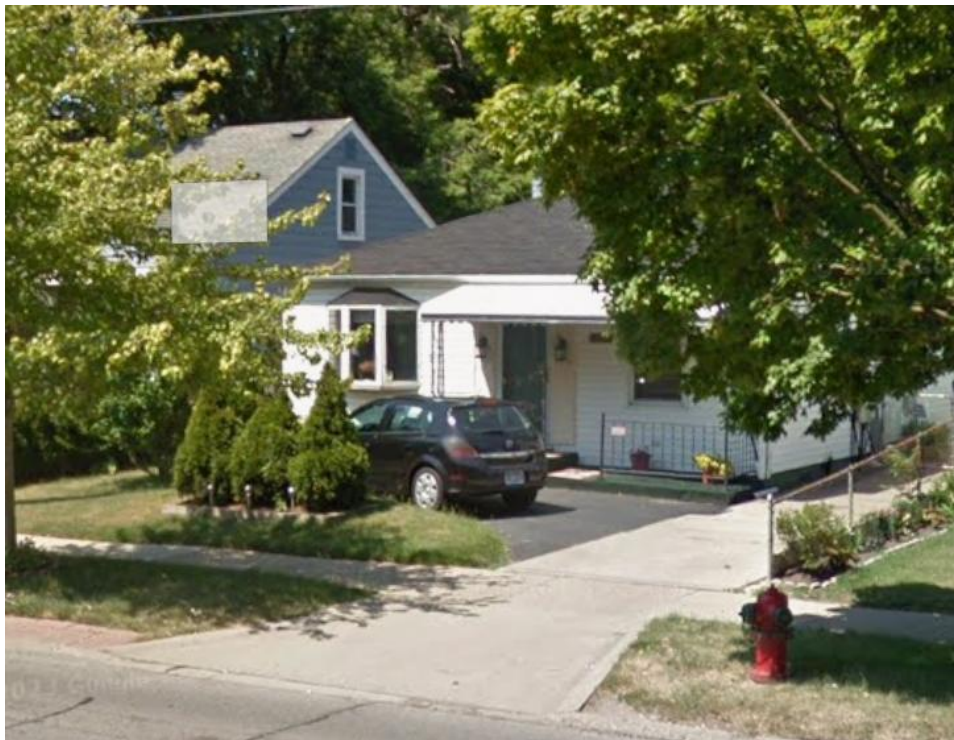
In granting any variance, the ZBA may prescribe appropriate conditions and safeguards in conformity with the Ordinance, provided that said conditions are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public. Such conditions shall be necessary 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

The intent of the front-yard parking restriction is to ensure that residential neighborhoods aren't dominated by the appearance of parked vehicles. The Zoning Ordinance does contain standards and allowances for an "additional parking pad" adjacent to a permitted driveway within the side or rear yard. However, given the unique building placement towards the extreme rear of the property and the limited side yards, widening the driveway in any capacity would likely result in a violation of one or more zoning standards. Additionally, the building's legal non-conforming use as a duplex, with two separate households, makes the current tandem parking arrangement burdensome on the renters.

The Zoning Ordinance does allow for a front-yard parking pad in cases where properties front an arterial or collector street and where the parking pad is screened from the road with plant materials or an alternative screening method. While the subject property is not located on an arterial or collector street, should the ZBA move to approve the variance, staff recommends incorporating a screening requirement as a condition of approval. As shown in the image below, landscaping between the road and the parking pad can reduce the visual impact of parked vehicles from Harwood Avenue.

Landscape Screening in front of Front-Yard Parking Pad



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.

If a motion to approve the variance is 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 Concrete Permit application, when submitted, shall denote the following:
 - (a) The parking pad shall be shifted to the north towards the house to the greatest extent possible to preserve the appearance of the front yard, consistent with the remainder of the block.
 - (b) Landscape screening shall be provided between the parking pad and the street in the form of arborvitaes, evergreen shrubs, ornamental trees, or other alternative plantings as approved by the Planning and Zoning Administrator. The plantings shall have the effect of screening vehicles from the street to the greatest extent possible.
 - (c) The maximum size of the parking pad shall be 9' x 20', consistent with the dimensions of a single parking space.
2. Repair and replacement of the parking pad may be permitted without the need for a new variance. However, in no case shall the extent or dimensions of the parking pad be increased without approval from the Zoning Board of Appeals.

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 7.03.10 – Detached One-Family Dwellings
- Section 15.06 – Variances and Appeals
- Public Hearing Notice
- Public Letters

TEMPLATE MOTIONS**APPROVAL:**

Move that the Zoning Board of Appeals APPROVE a variance from Section 7.03.10.C(4) to permit a residential parking pad in front of a residential dwelling at 91 E. Harwood. This motion, being made after the required public hearing, is based upon the following findings:

- 1) Section 7.03.10.C(4) prohibits the placement of driveways in front of residential dwellings, with the exception of living spaces above an attached garage; and
- 2) Strict compliance with the driveway standards would unreasonably prevent tenants of the legally non-conforming duplex from entering and exiting the property by vehicle; and
- 3) 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
- 4) The plight of the owner is due to unique circumstances of the property, including unique building placement and the legally non-conforming status as a duplex; and
- 5) The requested variance is the minimum amount necessary to permit reasonable development of the land, building or structure; and
- 6) With conditions, 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.

Approval is granted with the following **conditions** designed to ensure compliance with the intent and purpose of the use-specific regulations:

- 1) The Concrete Permit application, when submitted, shall denote the following:
 - (a) The parking pad shall be shifted to the north towards the house to the greatest extent possible to preserve the appearance of the front yard, consistent with the remainder of the block.
 - (b) Landscape screening shall be provided between the parking pad and the street in the form of arborvitaes, evergreen shrubs, ornamental trees, or other alternative plantings as approved by the Planning and Zoning Administrator. The plantings shall have the effect of screening vehicles from the street to the greatest extent possible.
 - (c) The maximum size of the parking pad shall be 9' x 20', consistent with the dimensions of a single parking space.
- 2) Repair and replacement of the parking pad may be permitted without the need for a new variance. However, in no case shall the extent or dimensions of the parking pad be increased without approval from the Zoning Board of Appeals.

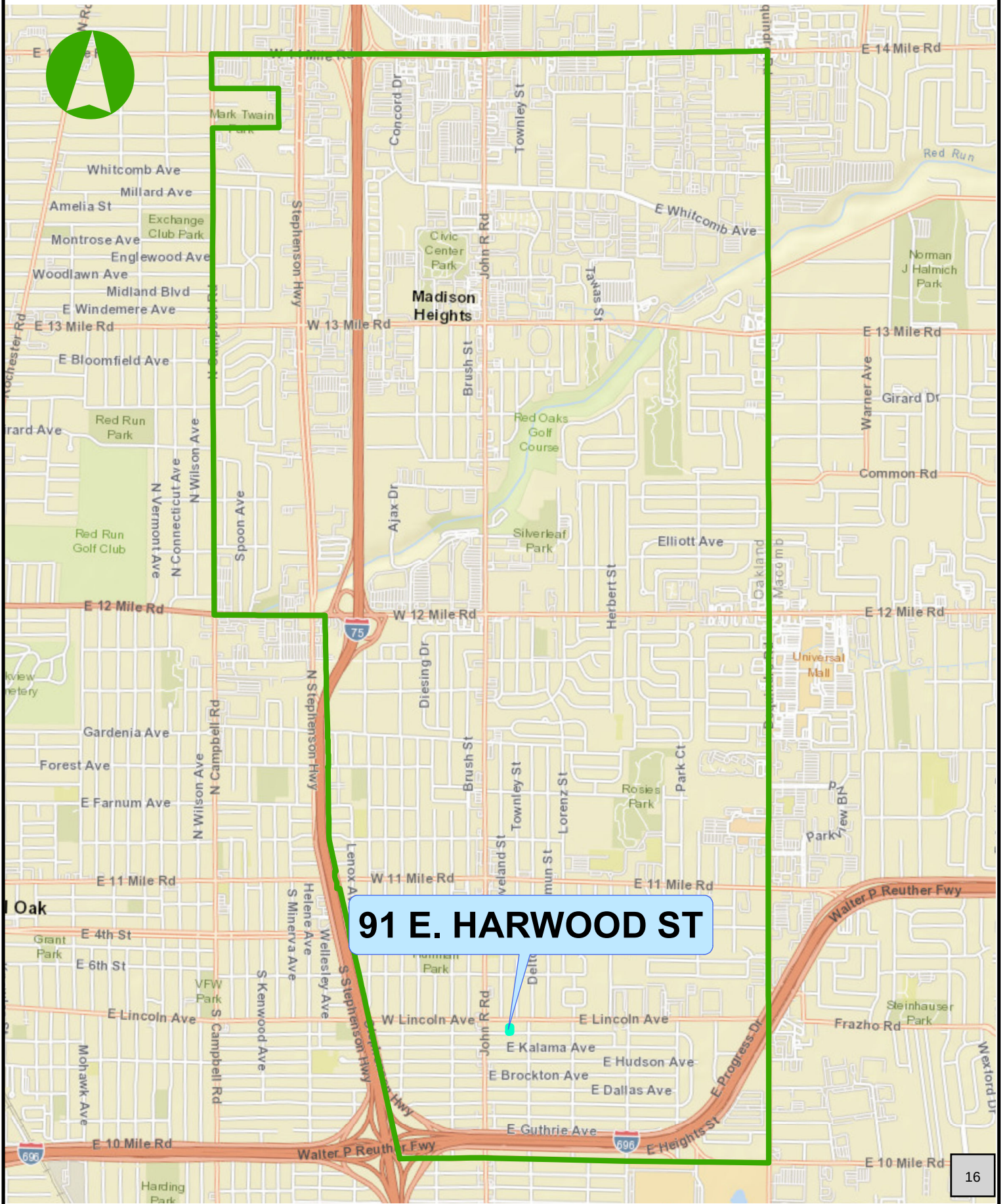
DENIAL (NOTE: ONLY ONE NON-COMPLIANT STANDARD NEEDS TO BE LISTED TO MOVE FOR DENIAL)

Move that the Zoning Board of Appeals DENY a variance from Section 7.03.10.C(4) to permit a residential parking pad in front of a residential dwelling at 91 E. Harwood. This motion, being made after the required public hearing, is based upon the following findings:

- 1) Section 7.03.10.C(4) prohibits the placement of driveways in front of residential dwellings, with the exception of living spaces above an attached garage; and
- 2) Strict compliance with the parking location standards would not unreasonably prevent the owner from continuing to utilize the existing site as a duplex; and
- 3) The authorization of such variance will materially impair the intent and purpose of this Ordinance to prohibit front yard parking areas in front of one-family residential homes and duplexes; and
- 4) The plight of the owner is not due to unique or extraordinary physical or natural circumstances on the property; and
- 5) The need for the requested variance is a result of actions of the property owner to add a parking pad to a property which already contains a driveway.

PZBA 26-03 : 91 E. HARWOOD ST

Item 3.



Site Address: 91 E. Harwood St



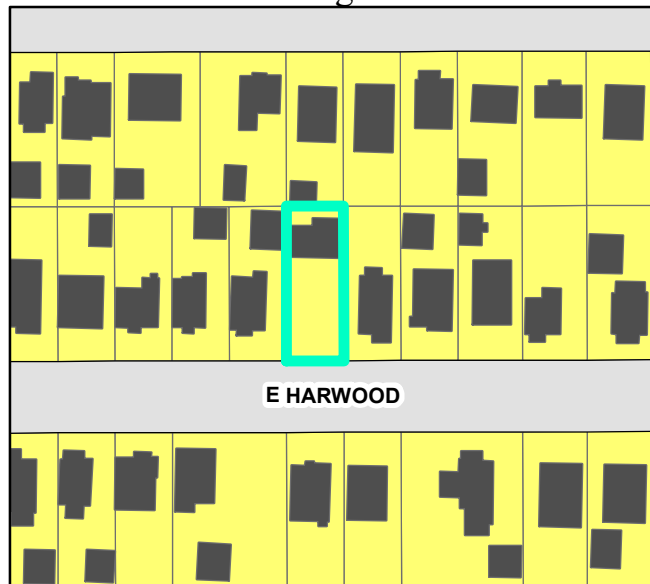
Click for maps

Aerial



91 E. Harwood St Parcels

Existing Land Use



91 E. Harwood St
 Single and Two Family

Zoning



91 E. Harwood St R-3 Residential

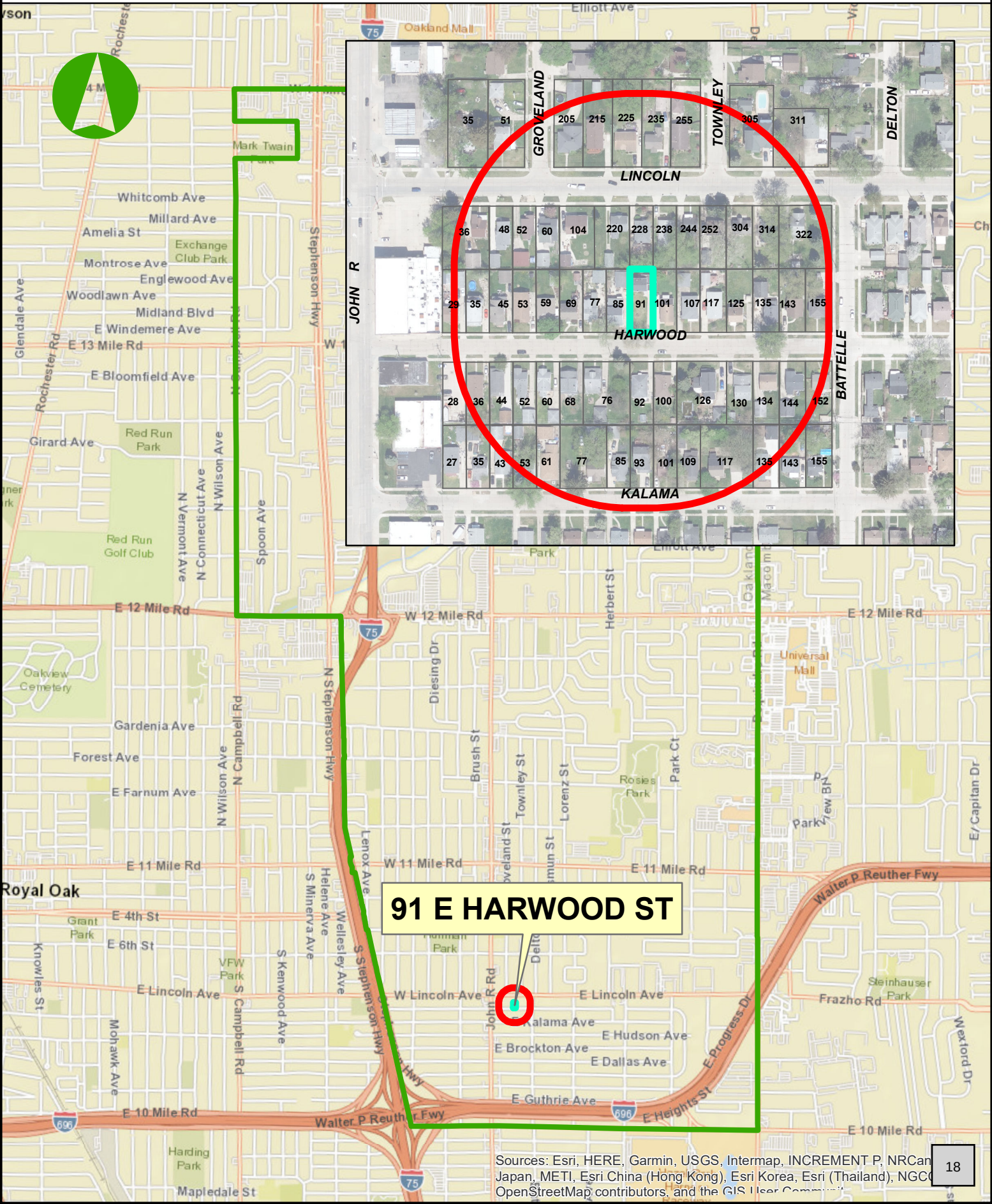
Future Land Use



91 E. Harwood St Single Family
 Multiple Family

PZBA 26-03 : 91 E. HARWOOD ST
BUFFER : 300 FT

Item 3.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, OpenStreetMap contributors, and the GIS User Community



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

I. APPLICANT INFORMATION

Applicant Naiel Yousif
Applicant Address 3917 Beechcrest
City Rochester Hills State MI ZIP 48309
Interest in Property (owner, tenant, option, etc.) owner
Contact Person Naiel Yousif
Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION (IF APPLICABLE)

Property Address 91 E. Harwood
Tax ID 25-24-301-021 Zoning District _____
Owner Name (if different than applicant) Naiel Yousif INC.
Address 91 E. Harwood
City Madison Heights State MI Zip 48071
Telephone Number [REDACTED] Email Address [REDACTED]

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name _____ Company _____
Address _____
City _____ State _____ Zip _____
Telephone Number _____ Email Address _____

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:

Section 7-03.10	

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

See the attachment

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.

See the attachment

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.

See the attachment

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.

See the attachment

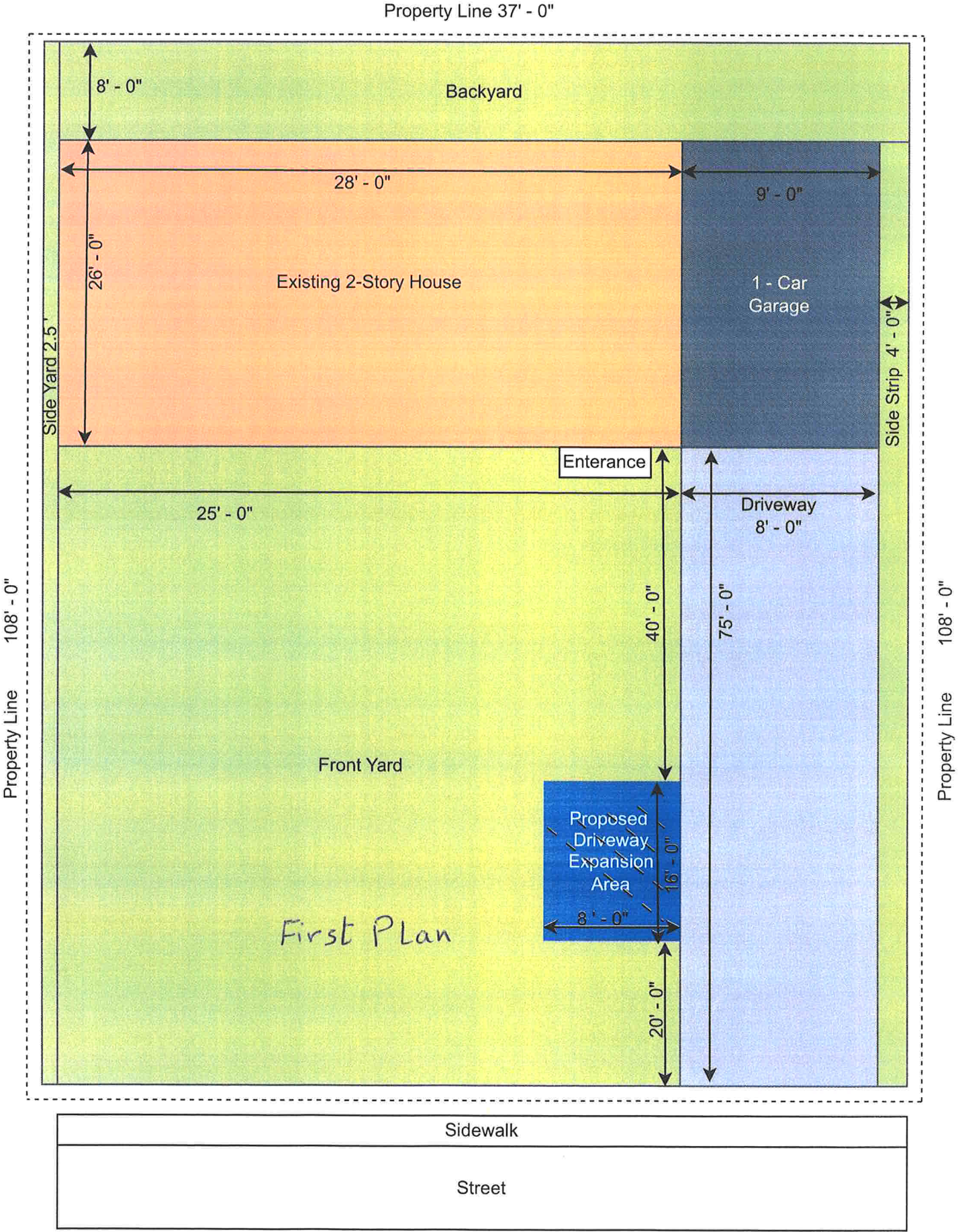
Statement of Need for Driveway Expansion Permit

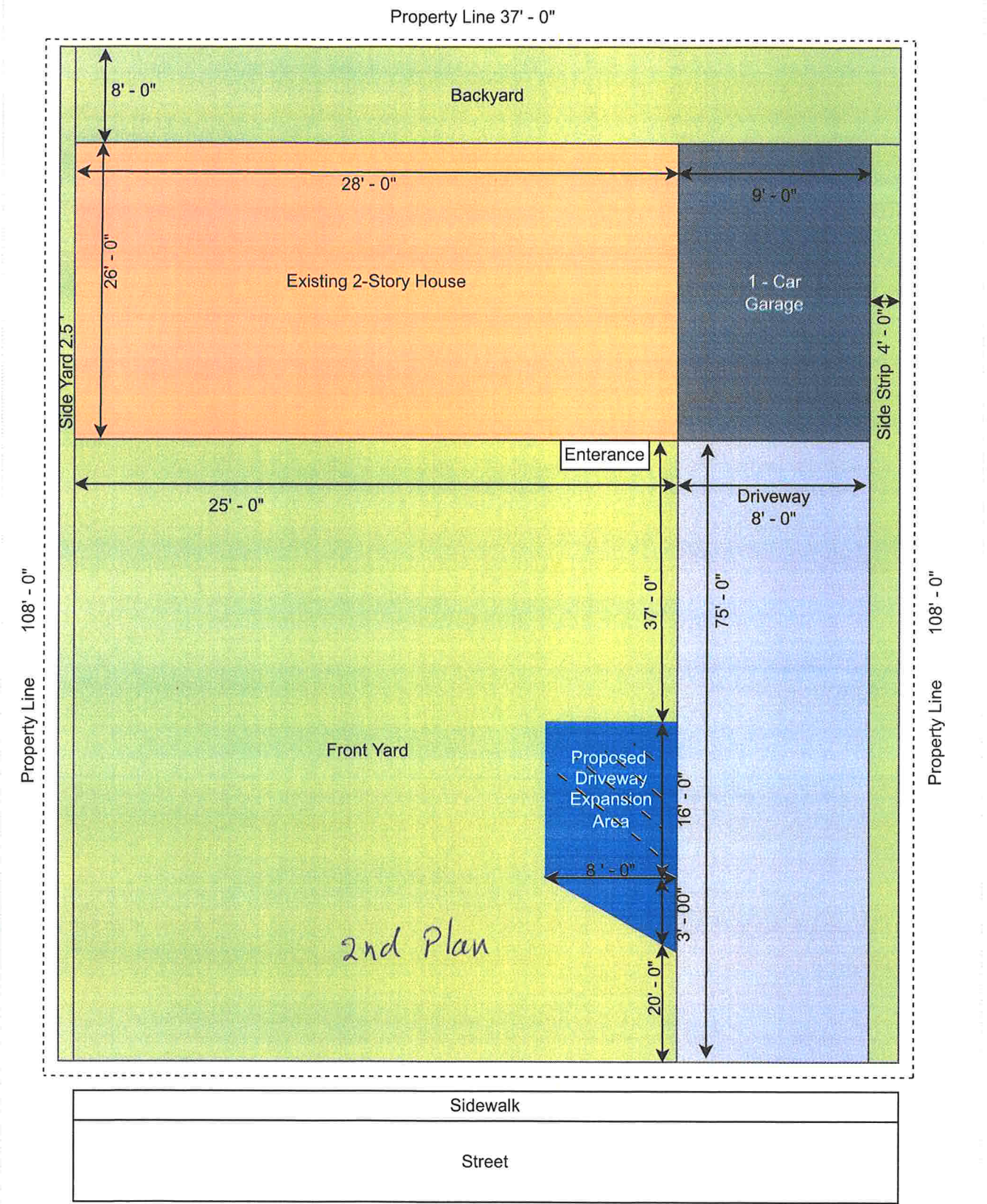
This property has a unique wide layout, with no usable backyard or side yard, and the current driveway is too narrow to meet the practical parking needs of the residence. Because the property is small, there is not enough usable space to create another reasonable parking area elsewhere on the lot.

At this time, vehicles must park in tandem, which is not manageable for daily use. Tandem parking requires one vehicle to move before another can enter or leave, creating unnecessary inconvenience and making regular access difficult.

The requested driveway expansion is the simplest and most practical way to improve the property’s parking situation. It would allow vehicles to park more independently and reduce the daily difficulties caused by the current narrow driveway.

For these reasons, approval of the driveway expansion is respectfully requested. The improvement is necessary because the property is too small for other practical parking options, and the existing tandem parking arrangement is not manageable for everyday use.





91 E. Harwood



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, October 1st, 2026 at 6:30 p.m.** to consider the following requests:

1. Case # PZBA 26-03: 91 E. Harwood Ave.

REQUEST: The applicant and property owner, Naiel Yousif, requests a variance from Section 7.03.10 of the Madison Heights Zoning Ordinance pertaining to use-specific standards for detached one-family dwellings; the applicant proposes a driveway addition in front of the residential dwelling. The subject property is located at 91 E. Harwood Ave. (TM# 44-25-24-301-021) and is zoned R-3, One-Family Residential.

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.

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

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Case #PZBA 26-03: 91 East Harwood Ave.

From Karen McLennan <cujoxx@ameritech.net>

Date Sat 9/12/2026 2:44 PM

To Matt Lonnerstater <mlonnerstater@madisonheightsmi.gov>

To the zoning board of appeals,

My name is David McLennan. I am the owner of 101 E. Harwood Madison Heights. My home is a licensed rental home with the city has been for the past 14 years. The home at 91 E. Harwood has a driveway that runs alongside my driveway with a 4 foot grass strip between it. For many years residents at 91 E. Harwood have had to drive over the grass strip and into my driveway to get around a vehicle parked behind them in their driveway . As you can imagine this damages the grass and is difficult in the winter when snow piles up between the driveways. The driveway addition in front of the residential dwelling will not take away from the appearance of the house.

I fully support the addition of the driveway in front of the residential dwelling at 91 E. Harwood this will relieve many issues for myself and my tenant as well as issues at 91 E. Harwood.

Sincerely,

David McLennan

G. **Water Recycling.** Auto washes are required to have operational recycled water systems where a minimum of fifty (50) percent of water utilized is recycled.

5. **BANQUET/ ASSEMBLY/MEETING HALL.** For the requirements stated in terms of occupancy, the calculation shall be based upon the maximum permitted occupancy determined by the City Fire Marshal and/or Building Official.

6. **CHILD DAY CARE CENTERS AND PRESCHOOLS**

- A. Outside activity areas shall be set back a minimum of fifty (50) feet from any R-1, R-2, R-3 or R-MN residential zoning district and in an area that is safe and protected from vehicles.
- B. For child-care centers, appropriate fencing shall be provided for the safety of the children.
- C. The applicant shall submit a copy of the State license for the facility upon application for a Certificate of Occupancy.

7. **CHILD FAMILY AND GROUP DAY CARE HOMES**

- A. The licensee must permanently reside as a member of the household.
- B. The limit on the number of children does not include children who are related to an adult member of the family by blood, marriage, or adoption.
- C. Family and Group Day Care Homes include care to unrelated minor children for more than 4 weeks in a calendar year.
- D. The applicant shall submit a copy of the State license for the facility upon obtaining a Certificate of Occupancy.

8. **COMMERCIAL KENNELS AND BOARDING FACILITIES**

- A. Buildings in which animals are kept, boarded, and provided with care services, and any outdoor areas used as animal runs or exercise areas, shall be set back a minimum of one hundred (100) feet from any residentially-zoned or used property.
- B. Outdoor runs, kennels, and storage areas shall not be visible from streets or adjacent properties. All outdoor areas shall be surrounded by a six-foot-tall fence or wall.
- C. Outdoor areas shall only operate between the hours of 7 a.m. and 9 p.m.

9. **CONTRACTOR'S OFFICE.** Accessory outdoor storage shall only be permitted in the MUI-1, M-1 and M-2 zoning districts in accordance with Section 8.03(6).

10. **DETACHED ONE-FAMILY DWELLINGS**

A. **DWELLING UNIT DESIGN:**

- (1) Dwelling units that front a public street shall have at least one (1) entrance facing, or visible from, the public street.
- (2) **Exterior Finish Materials.** Primary materials shall include brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding. Accent materials (up to 25% of the net façade) may include architectural metal, asphalt siding, stucco, aluminum siding, EIFS, reflective glass, vinyl cladding, or concrete. The Planning and Zoning Administrator may consider alternative accent materials.

B. **GARAGES:**

- (1) **Detached Garages.** Detached garages shall comply with the Accessory Buildings standards, Section 8.03.
- (2) **Attached Garages.** Garages shall not be the prominent feature of the front elevation of the home or of the street frontage. Attached garages shall comply with the following standards:
 - (a) Attached garages are subject to the minimum building setback provisions for the principal structure.
 - (b) The total width of front-loaded attached garages shall not occupy more than 50% of the total width of the front façade of the house, as measured along any building line that faces the street, which excludes any architectural elements such as bay windows or unenclosed porches. The width of the garage is measured at the width of the door and not necessarily the space it occupies in the dwelling behind the

door. Garage width may be increased to not more than 60% of the total width of the front façade on parcels with a lot width of 40 ft. or less.

- (c) Front-loaded attached garages shall be recessed at least two (2) feet from the front façade of the house. Front porches may be considered the front façade and be used as the point of measurement for those homes where the porch comprises at least 30 percent of the front façade.

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.
- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways. Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.
- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

- (10) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line, if at least one of the following conditions are met:
 - (i) The existing parcel features a lot width of 40 feet or less.
 - (ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
 - (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.
- D. **DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT.** Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

[Δ Ord. 2023 – ZTA 24-02; Δ Ord. 2026 – ZTA 25-01]

11. DRIVE-THROUGH FACILITIES

- A. Where allowed per the use matrix, drive throughs shall only be permitted as an accessory use to a principal use permitted within the zoning district.
- B. All vehicle stacking for the drive-through use shall occur on site. The site plan shall be designed to provide safe and efficient traffic circulation both within the site and in relation to access streets that assure the safety and convenience of pedestrian traffic, to the maximum extent possible.
- C. **Drive-Through Lanes.** Drive through lanes shall satisfy the following standards:
 - (1) Drive-through facilities shall provide a minimum of one bypass lane to allow unobstructed travel for vehicles to pass those waiting to be served.
 - (2) Drive-through lanes shall have a minimum width of 10 feet.
 - (3) Drive-through lanes serving a restaurant use shall provide a minimum of ten vehicle stacking spaces per lane. Drive-through lanes serving non-restaurant uses (e.g., banks, pharmacies) shall provide a minimum of five vehicle stacking spaces per lane. Stacking spaces shall measure, at minimum, 19 feet by 10 feet.
- D. **Speakers and Ordering/Menu Boards.** Speakers and ordering/menu boards shall be so directed or muffled as to prevent sound from being audible beyond boundaries of site. Speakers and ordering/menu boards shall be oriented and directed away from adjacent residential uses.
- E. The following additional requirements apply to drive-through facilities within the O-1, B-1, MUI-1, and MUI-2 zoning districts:
 - (1) Drive-through-related features, including drive-through windows, ordering and menu boards, and any canopies, must be located adjacent to the rear façade of the building or in the rear of the lot behind the building; however, corner parcels may use one (1) side of the building for drive-through window service. In the case of corner lots, all drive-through service windows must be set back a minimum of eight (8) feet from the front of the building wall of the primary structure.
 - (2) **Walk Up Service Window.** Where a public lobby or indoor service is not provided for the principal use, an exterior walk-up window shall be provided for customers without a vehicle.
 - (3) Stacking lanes shall not be located in a required front yard setback and shall not create hazardous conditions for pedestrians or other users on the site or in any adjacent right of way.

12. DUPLEXES

- A. Duplexes may be of a “side-by-side”, “front-to-back” or “stacked” design, or combination thereof, and may have separate entrances or a shared common entrance.

- B. Duplexes shall comply with all Detached One-Family standards, [Section 7.03\(10\)](#), with the following exceptions and additional provisions:

- (1) At least one exterior entrance shall face a public or private street.
- (2) Duplexes may include a 20-foot shared driveway and/or a maximum of two (2) individual 12-foot wide driveways, located on opposite ends of the front property lines.

13. FIREARM RETAIL SALES

- A. It shall be unlawful to operate or cause to be operated a firearm retail sales establishment or firearm retail sales as an accessory use in any location in the City except as provided for in this section.
- B. Firearm sales may be permitted in the M-1 and M-2 only as an accessory use to a permitted indoor shooting range, subject to use-specific standards of [Section 7.03\(22\)](#) (Indoor Shooting Range).
- C. It shall be unlawful to operate or cause to be operated a firearm retail sales establishment within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight line basis) of any of the following:
 - (1) A school or childcare facility.
 - (2) A public park.
 - (3) A public community center.
 - (4) Any residential zoning district or any parcel used for residential purposes.
- D. A firearm retail sales establishment lawfully operating is not rendered a nonconforming use by the subsequent location of a place of worship, school, childcare facility, public park, public community center, residential district, or a residential lot within three hundred (300) feet of the firearm retail sales establishment. However, if the firearm retail establishment ceases operation for a period of one-hundred and eighty (180) days or more, regardless of any intent to resume operation, it may not recommence operation in that location except in conformity with this Ordinance.
- E. No firearms or ammunition shall be displayed in window areas visible from a street or sidewalk.

14. FOSTER CARE HOMES

- A. The licensee must permanently reside as a member of the household.
- B. The applicant shall submit a copy of the State license for the facility upon submittal for a Certificate of Occupancy.

15. FUNERAL HOMES

- A. Assembly of vehicles for funeral processions shall not occur in a public street.
- B. Where a funeral home is permitted, a funeral chapel shall also be permitted.

16. GASOLINE/RECHARGING SERVICE STATIONS

- A. **Residential Separation Buffer.** A twenty (20) foot buffer shall be provided between any portion of a gas station facility (e.g., buildings, access drives, pumps, canopies, parking areas) and the property line of a residentially-zoned parcel, screened and landscaped in accordance with [Section 11.04](#) (Transitional Landscaping).
- B. **Minimum Lot Area and Width.** The parcel shall contain a minimum area of 14,000 square feet. The parcel shall have a minimum width of 100 feet along the principal street serving the station.
- C. **Vehicular Access:**
 - (1) Gasoline service stations, when located on a corner lot, shall provide vehicular entrances or exits (curb cuts) no less than thirty-five (35) feet from the corner intersection of the property lines.
 - (2) All curb openings, whether on a corner lot or not, shall not exceed thirty-five (35) feet in width at the property line.

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.