



CITY OF MADISON HEIGHTS
COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.
ZONING BOARD OF APPEALS MEETING AGENDA
DECEMBER 04, 2025 AT 7:30 PM

CALL TO ORDER

ROLL CALL

ADDITIONS/DELETIONS

APPROVAL OF MINUTES

1. September 4th, 2025 Meeting Minutes

PUBLIC HEARING

2. **PZBA #25-10: 32500 John R Road**

REQUEST: The applicant, Marija Dedvukaj, requests variances from Section 12.04, Prohibited Signs, and Section 12.07, Regulations for Permitted Signs, to permit the installation of a pylon sign that exceeds the maximum permitted height for ground signs within the B-3 zoning district. The subject property is located at 32500 John R Road (TM# 44-25-01-151-063) and is zoned B-3, Regional Business.

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

3. Adoption of 2026 ZBA Meeting Calendar

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
Madison Heights, Michigan
September 04, 2025

A Zoning Board of Appeals was held on Thursday, September 04, 2025, at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Rd.

[DRAFT]

PRESENT: Chair Kimble and members: Aaron, Covert, Fleming, Holder, Marentette, Sagar, and Thompson

ABSENT: Corbett, Loranger, and Oglesby

ZBA 27-25. Minutes.

Motion made by Ms. Holder, Seconded by Ms. Marentette, to approve the August 7, 2025, Meeting Minutes as presented.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 28-25. Excuse member(s).

Motion made by Ms. Aaron, Seconded by Ms. Holder, to excuse Mr. Del Loranger and Mr. Clifford Oglesby.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 29-25. Case # PZBA #25-09: 1485 W. 14 Mile Road

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

REQUEST

The applicant, Spectrum Neon, on behalf of property owner Johnny Shouneyia, requests one (1) dimensional variance from the Madison Heights Zoning Ordinance pertaining to wall signage. The subject property is located at 1485 W. 14 Mile Road (tax parcel # 44-25-02-102-001) and is zoned B-1, Neighborhood

Business. The property is located at the southeast corner of 14 Mile Road and Campbell Road and is improved with a grocery store.

The applicant requests a variance from Section 12.07.2 of the Zoning Ordinance which sets a maximum total wall sign area of 150 square feet for the tenant space's primary front facade. As part of a rebranding for the grocery store, the applicant proposes to install five (5) new signs (including two logo signs) with a total square footage of 256.5 square feet on the north facade, requiring a 106.5 foot dimensional variance.

Proposed Wall Signs

The applicant proposes five (5) new wall signs on the primary north façade of the grocery store, including one (1) primary wall sign, two (2) secondary wall signs and two (2) logo signs:

- Primary Sign ("Holiday Market"): 102.5 square feet. Internally-illuminated channel letters.
- Secondary Signs ("Premium Meats" and "Specialty Grocery"): 33 sq. ft. and 27 sq. ft, respectively. 60 sq. ft. total. Internally-illuminated channel letters.
- Logo Signs: 47 sq. ft. each. 94 sq. ft. total. Non-illuminated aluminum frame.

Based on the tenant space's frontage along the street and its large setback from the road, the tenant is afforded a total wall area allowance of 150 square feet along the front facade. The Zoning Ordinance does not cap the total number of wall signs on a single façade.

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 sign regulations, 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 applicant has provided written responses addressing the variance criteria of Section 15.06.2 of the Zoning Ordinance. As justification for the variance, the applicant primarily cites branding expectations, the store's location at a busy intersection within a strip mall, and the lack of negative impact on adjacent businesses and properties.

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) or extraordinary

parcel shape. Where physical constraints severely limit the ability to place a legal wall sign on the property, variances may be warranted.

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.

In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance.

The applicant, John Hadad of Spectrum Neon at 1280 Kempar Avenue, spoke on behalf of property owner Johnny Shouneyia. He stated that they worked with the owners to develop new branding for Holiday Market, which is envisioned as a more upscale store. The signage, including logos and taglines ("premium meats," "specialty groceries"), was designed to fit the building's facade and architectural shape, avoiding oversized letters. He emphasized that the logos are an important part of their branding, like a Ford emblem, and fill empty spaces on the building, especially given the arched window underneath. The store is intended to be a flagship store for the Holiday Market chain, like their Royal Oak location, though the architecture and signage layout differ due to available "real estate". The proposed signs are not illuminated but are graphics. He also mentioned that the existing signage is difficult to read from the road, and the new design aims for better visibility and balance. The letters on the sides will be about the same size, with the main change being the addition of the two logos. Mr. Hadad's reply to Ms. Marentette's inquiry; the placement of the two logo signs that won't be illuminated is to identify the brand and balance the facade. Mr. Hadad's reply to Mr. Sagar's inquiry; the "premium meats" and "specialty groceries" signs are crucial for grocery stores to convey what's inside, especially for a Holiday Market, differentiating it from typical supermarkets. Mr. Sagar suggests their removal could reduce the variance. Regarding monument signs at the road, the applicant confirmed that the "Value Center" panel would be replaced with "Holiday Market" to identify the store from the road. However, monument signs are considered "semi-effective" compared to building signage for locating a business, especially since the building is set back.

The applicant's son, John Hadad compared the Madison Heights location to the Royal Oak Holiday Market, which, while having similar branding, incorporates

more extensive graphic images and taglines across its entire facade due to different architecture and shallower parking.

Assistant City Attorney Burns expressed concern that the commission had recently granted an "overly generous variance allowance" for monument signage to this applicant and urged consideration of the city's substantial investment in redoing the zoning ordinance, which aims to maintain standards.

City Planner Lonnerstater clarified that the previous zoning ordinance was more generous, allowing up to 500 square feet for business districts in some cases, which explains why fewer variances were needed then. The current ordinance sets a base maximum of 100 square feet, with an additional 50 square feet bonus for extensive setbacks from the road or long building lengths, bringing the total to 150 square feet. He noted this request is an "extensive variance request" under the stricter new ordinance. City Planner Lonnerstater also mentioned that a previous Asian market variance was for 50 square feet or less.

Motion made by Ms. Aaron, and Seconded by Mr. Sagar, to move that the Zoning Board of Appeals APPROVE the dimensional variance application to allow total wall signage measuring 256.5 square feet on the north-facing building facade at the subject property located at 1485 W. 14 Mile Road. This motion being made after the required public hearing based upon the following findings:

- 1) That Section 12.07.2 of the Zoning Ordinance sets a maximum area of one-hundred fifty (150) square feet for the tenant space's primary front (north) façade, and the applicant is requesting a 106.5 square foot variance.
- 2) 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
- 3) That the plight of the owner is due to unique circumstances of the property, including large setbacks from the adjacent public street and extensive building frontage; and
- 4) That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- 5) 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

6) That the need for the requested variance is not the result of actions of the property owner or previous property owners.

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

1) Total wall sign area on the north façade shall not exceed 256.5 square feet, as the variance runs with the land.

2) Future face changes of the wall sign or replacement wall signs shall be reviewed administratively in accordance with Article 12 of the Zoning Ordinance, subject to the conditions set with the variance approval.

Voting Yea: Aaron, Covert, Councilman Fleming, Kimble, Marentette, Sagar, and Thompson

Voting Nay: Holder

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 30-25. Public Comment: For items not listed on agenda.

Seeing no one wished to comment, Chair Kimble opened public comment at 7:58 p.m. and closed the public comment at 7:59 p.m.

ZBA 31-25. Member updates.

City Planner Lonnerstater informed the board about the Michigan Association of Planning Conference, scheduled for October 22nd to 24th in Kalamazoo, noting that one or two spaces might be available for board members.

ZBA 32-25. Adjournment.

Motion made by Ms. Holder, Seconded by Ms. Aaron.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

There being no further business, Chair Kimble adjourned the meeting at 8:00 p.m.



MEMORANDUM

Report Date: November 26th, 2025

To: City of Madison Heights Zoning Board of Appeals

Meeting Date: December 4th, 2025

From: Matt Lonnerstater, AICP – City Planner

Subject: PZBA 25-10; 32500 John R Road

Variances to allow the installation of a non-permitted sign type (pylon sign) exceeding the maximum permitted sign height.

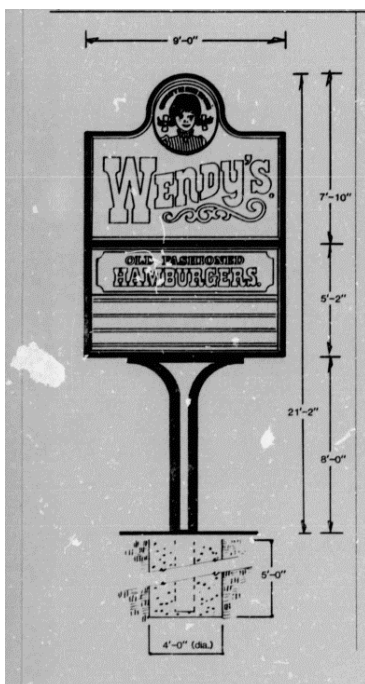
REQUEST

The applicant, Marija Dedvukaj on behalf of property owner VDG John R, LLC, requests variances from Section 12.04 (Prohibited Signs) and Section 12.07 (Regulations for Permitted Signs) to permit the installation of a pylon sign that exceeds that maximum permitted height for ground signs. The property is located at 32500 John R Road (tax parcel #44-25-01-151-063) and is zoned B-3, Regional Business. The property is located on the east side of John R Road, south of Mandoline, and is improved with a drive-through fast-food restaurant which is in the process of being converted into a Coney Island restaurant.

SITE AND SIGN HISTORY

The subject property and building were most recently occupied by Wendy's, which was constructed in the mid 1980's. Wendy's received ZBA approval to construct a 21-foot-tall pylon sign, depicted below, in 1983.

Wendy's Sign Plans (1983) and Recent Conditions (2020)



Since purchasing the property earlier in 2025, the property owner has removed the old Wendy's sign cabinet and cut down the height of the supporting pylon (shown below):

April, 2025 Conditions



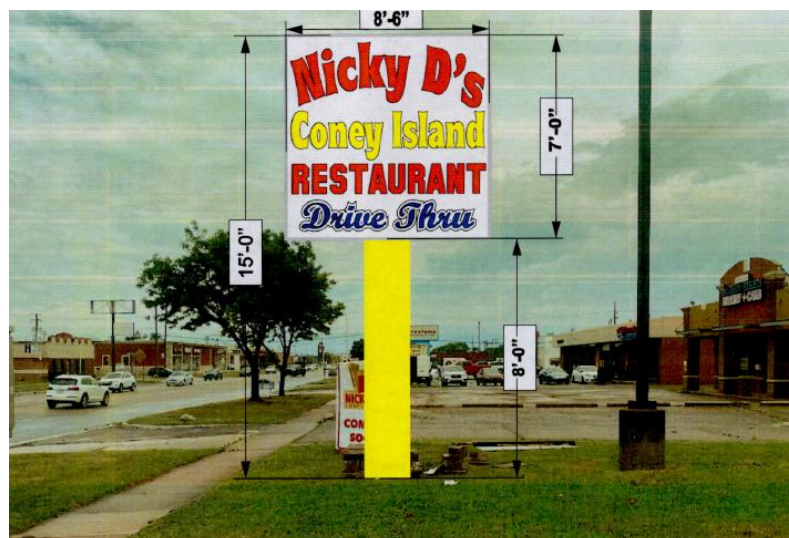
REQUESTED VARIANCES

The applicant now requests to utilize the existing sign foundation and the remaining support pole to construct a 15-foot-tall pylon sign (shown below). The proposed sign requires two (2) variances from the city's sign regulations

- 1) **Sign Type:** Per Section 12.04, pylon signs are listed as a "prohibited sign" type. A pylon sign is defined as a freestanding outdoor sign with either one or two poles for support.
- 2) **Sign Height:** Per Section 12.07.2, the maximum sign height for a ground sign in the B-3 zoning district is 8 feet. The proposed pylon sign is 15 feet tall.

These specific variances are discussed further below.

Proposed Pylon Sign



Pylon Signs

Pylon signs are prohibited per Section 12.04 of the Zoning Ordinance. While legally non-conforming signs, such as pylon signs, are permitted to remain with routine maintenance and even cabinet face-changes, non-conforming status is eliminated once significant structural modifications or removals are made (Section 12.09). As the property owner has voluntarily removed the sign cabinet and a majority of the supporting pole, the remaining portion of the sign can no longer be considered legally non-conforming.

To comply with Zoning Ordinance sign standards, the applicant would be required to remove the former pylon sign elements and replace it with a conforming freestanding sign with a monument-style design. As opposed to a pylon sign, a monument sign is defined as a, *“freestanding sign mounted to the ground that does not have any exposed poles or pylons.”*

Sign Height

Permitted ground sign types (monument signs or decorative post signs) within the B-3 zoning district are limited in height to eight (8) feet (Section 12.07.2). At a height of fifteen (15) feet, the proposed pylon sign would require a height variance of seven (7) feet.

Sign Design

Per the submitted sign application, the proposed sign features a non-illuminated aluminum cabinet placed atop a wood pole.

VARIANCE FINDINGS AND CRITERIA

Section 15.06.2 of the Zoning Ordinance grants the Zoning Board of Appeals the power to authorize variances from sign regulations, 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 applicant has provided written responses addressing the variance criteria of Section 15.06.2 of the Zoning Ordinance. As justification for their variance requests, the applicant primarily cites concerns over the lack of visibility of a shorter sign. The applicant also references the fact that the previous Wendy's sign was of a similar height and design and alludes to the existence of other tall freestanding signs in the area.

Staff offers the following comments pertaining to each variance 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.*

Staff Comment: Staff finds that compliance with the city's sign regulations, in this case allowing for a monument style ground sign with a height up to 8 feet, would not unreasonably prevent the owner from using the property for the proposed restaurant use.

- 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.*

Staff Comment: The applicant is bound to the same sign regulations as adjacent properties. While there are existing non-conforming signs along John R Road, these signs predate current zoning regulations and their existence in and of themselves are not a basis for granting new variances.

- 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;*

Staff Comment: The subject property is of a typical rectangular shape and is 0.61 acres in size. Staff finds that there is adequate frontage and building setbacks to erect a sign satisfying zoning requirements, and that the typical characteristics of the parcel do not constitute a practical difficulty.

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

Staff Comment: Staff finds that a monument sign meeting maximum height standards would allow for reasonable use of the building and property as a restaurant. Denial of a variance in this case has no bearing on land use or permitted land uses on the property.

- 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;*

Staff Comment: While the requested variances may not cause a substantial detriment to adjacent property, staff finds that issuing the variances would impair the intent and purposes of the City's sign regulations pertaining to sign style and height.

- F. *That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).*

Staff Comment: Staff finds that the requested variances are the result of the property owner/tenant's desire to construct a taller sign type rather than the existence of a true practical difficulty or difficulties. While a shorter sign, in theory, would be less visible, staff struggles to find the existence of a true practical difficulty on the property which would restrict the use of the parcel as a restaurant.

Practical difficulties relating to a 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) or extraordinary parcel shape. Where physical constraints severely limit the ability to place a legal ground sign on the property, variances may be warranted.

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 motions are provided below for the ZBA's consideration, which may be modified at the discretion of the board.

In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance.

Attachments

- Maps
- ZBA Application and Drawings
- Section 12.07.2 – Regulations for Permitted Signs (B-3, Regional Business)
- Section 15.06 – Variances and Appeals
- Public Hearing Notice

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

Move that the Zoning Board of Appeals DENY the variance requests to permit the installation of a non-permitted pylon sign type that exceeds that maximum permitted height for ground signs at the subject property located at 32500 John R Road. This motion, being made after the required public hearing, based upon the following findings:

- 1) Per Section 12.04, pylon signs are listed as a “prohibited sign” type. A pylon sign is defined as a freestanding outdoor sign with either one or two poles for support.
- 2) Per Section 12.07.2, the maximum sign height for a ground sign in the B-3 zoning district is 8 feet.
- 3) The applicant proposes a 15-foot-tall pylon sign on the subject property and is requesting variances from Section 12.04 (Prohibited Signs) and Section 12.07 (Regulations for Permitted Signs). In the case of sign height, the applicant is requesting a seven (7) foot variance.
- 4) The requested variance does not satisfy the variance criteria set forth in Section 15.06.2 of the Zoning Ordinance. In particular, the Zoning Board of Appeals finds that:
 - a) Compliance with the city’s sign regulations, in this case allowing for a monument style ground sign with a height up to 8 feet, would not unreasonably prevent the owner from using the property for the proposed restaurant use.
 - b) The applicant is bound to the same sign regulations as adjacent properties. While there are existing non-conforming signs along John R Road, these signs predate current zoning regulations and their existence in and of themselves is not a basis for granting new variances.
 - c) The subject property is of a typical rectangular shape and is 0.61 acres in size. There is adequate frontage and building setbacks to erect a sign satisfying zoning requirements, and the typical characteristics of the parcel do not constitute a practical difficulty.
 - d) A monument sign meeting maximum height standards would continue to allow for reasonable use of the building and property as a restaurant. Denial of a variance in this case has no bearing on land use or permitted land uses on the property.
 - e) While the requested variances may not cause a substantial detriment to adjacent property, issuance of the variances would impair the intent and purposes of the City’s sign regulations pertaining to sign style and height.
 - f) The requested variances are the result of the property owner/tenant’s desire to construct a taller sign type rather than the existence of a true practical difficulty or difficulties. While a shorter sign, in theory, would be less visible, there is little evidence of a true practical difficulty on the property which would restrict the use of the parcel as a restaurant.

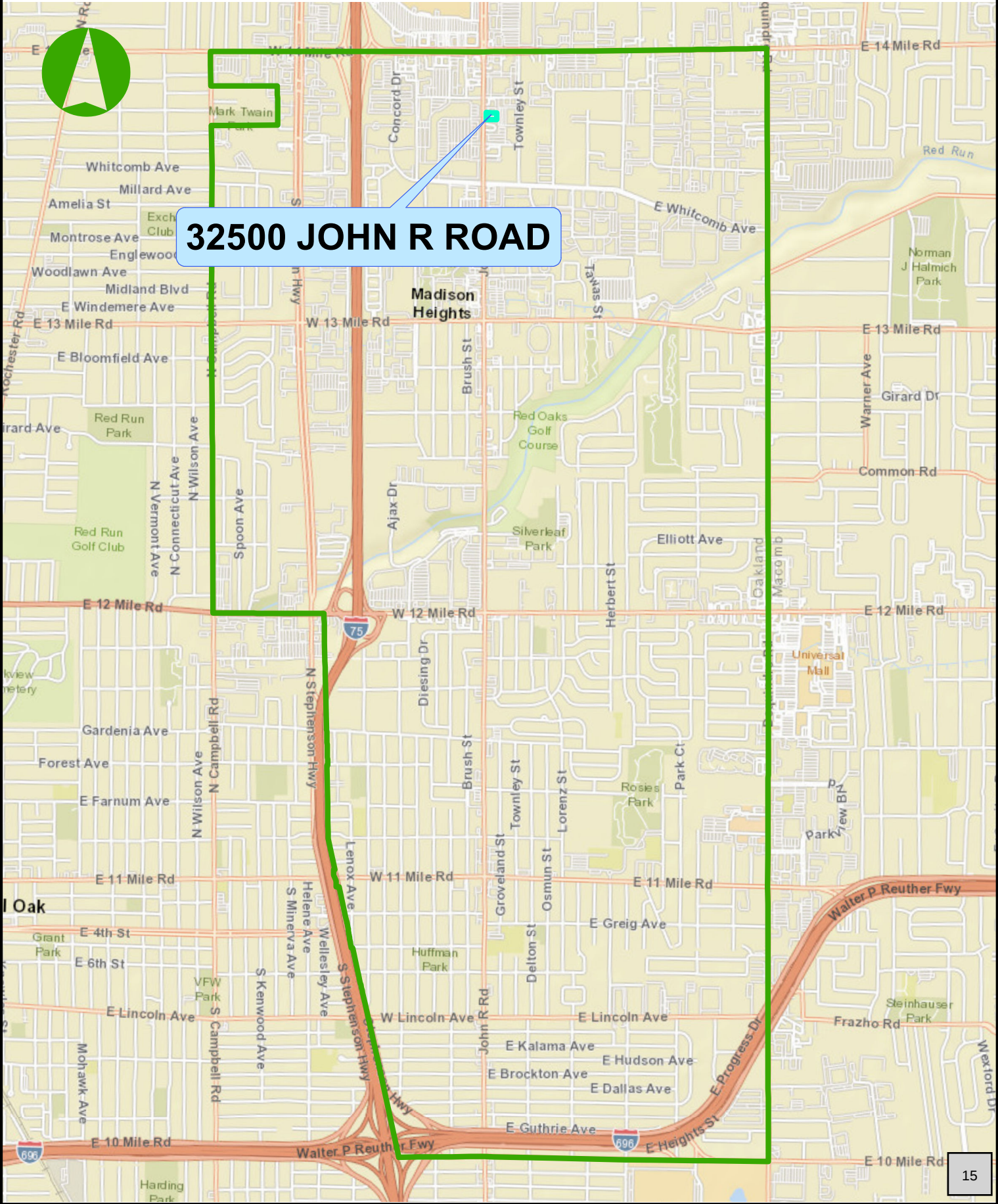
APPROVAL (NOTE: ALL STANDARDS NEEDS TO BE LISTED TO MOVE FOR DENIAL)

Move that the Zoning Board of Appeals APPROVE the variance requests to permit the installation of a non-permitted sign type (pylon sign) that exceeds that maximum permitted height for ground signs at the subject property located at 32500 John R Road. This motion, being made after the required public hearing, based upon the following findings:

- 1) Per Section 12.04, pylon signs are listed as a “prohibited sign” type. A pylon sign is defined as a freestanding outdoor sign with either one or two poles for support.
- 2) Per Section 12.07.2, the maximum sign height for a ground sign in the B-3 zoning district is 8 feet.
- 3) The applicant proposes a 15-foot-tall pylon sign on the subject property and is requesting variances from Section 12.04 (Prohibited Signs) and Section 12.07 (Regulations for Permitted Signs). In the case of sign height, the applicant is requesting a seven (7) foot variance.
- 4) The requested variance satisfies the variance criteria set forth in Section 15.06.2 of the Zoning Ordinance. In particular, the Zoning Board of Appeals finds that:
 - a) 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) 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) 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) The requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
 - e) 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) The need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

PZBA 25-10: 32500 JOHN R ROAD

Item 2.



Site Address: 32500 John R Road



Item 2.

Click for maps

Aerial



32500 John R Road Parcels

Existing Land Use



32500 John R Rd Commercial

Zoning



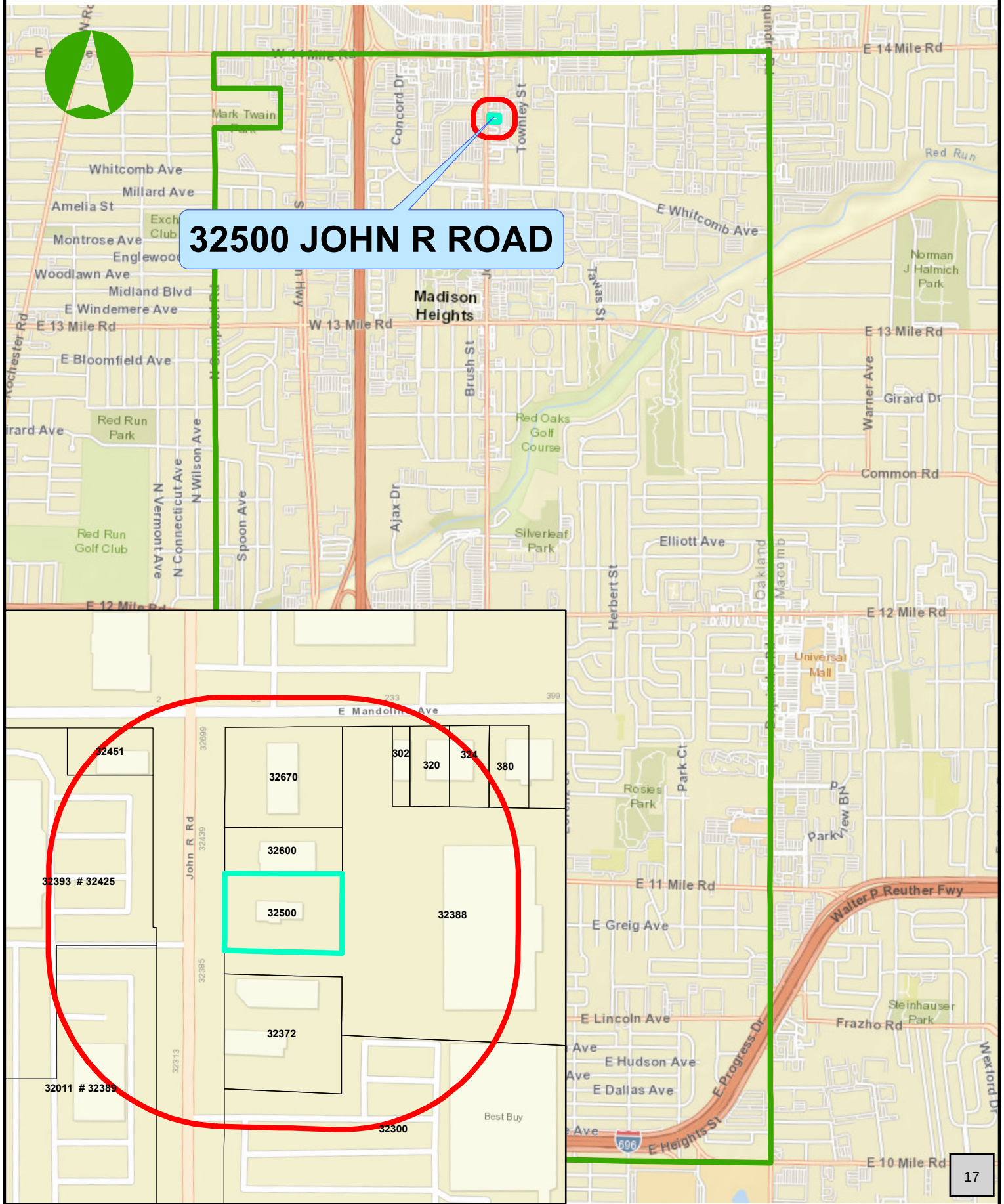
32500 John R Rd R-3 Residential
 Parcels MUI2
 B-3

Future Land Use



32500 John R Rd Commercial
 Parcels Industrial

Item 2.





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

I. APPLICANT INFORMATION

Applicant Marija Dedvukaj
Applicant Address 2866 Eagle DR.
City Rochester Hills State MI ZIP 48309
Interest in Property (owner, tenant, option, etc.) 32500 John R Road
Contact Person Marija Dedvukaj
Telephone Number 248-421-2552 Email Address Marija.Dedvukaj@attone

II. PROPERTY INFORMATION (IF APPLICABLE)

Property Address 32500 John R Road, Madison Heights, MI 48071
Tax ID 25-01-151-063 Zoning District B-3
Owner Name (if different than applicant) VDG John R, LLC
Address 950 South Old Woodward Avenue, Ste 220
City Birmingham State MI Zip 48009
Telephone Number 248-985-8520 Email Address frank.arcori@verusdg.com

III. CONSULTANT INFORMATION (IF APPLICABLE)

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

ZBA APPLICATION

IV. NATURE OF REQUEST

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

Brief Description of Request

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 Marija Dedvukaj Signature Marija Dedvukaj Date 10.30.25

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 Frank Arcori Signature [Signature] Date 10/30/2025

Notary for Property Owner:

Subscribed and sworn before me, this 30 day of October, 2025.

A Notary Public in and for Oakland County, Michigan.

Notary Name (Print): George Thomas

Notary Signature: [Signature]

My Commission Expires: 4-13-2027

Notary Stamp

George Thomas
NOTARY PUBLIC - STATE OF MICHIGAN
County of Oakland
My Commission Expires 4-13-2027
Acting in the County of Oakland

STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE: \$400

- DIMENSIONAL VARIANCE/NON-CONFORMING USE:
 - Single-Family: \$300
 - Multi-Family/Non-Residential: \$400 + \$300 per additional variance
- Appeal/Interpretation: \$400

ZBA NO.: PZBA # 25-0010

DATE APPLICATION RECEIVED: 11/3/25

RECEIVED BY: SPN

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 12.07 Regulations for Permitted Signs (Maximum Height of Ground/Monument Signs)	

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

Requesting a variance to keep the existing pole sign at its current height, the same height as the previous restaurant's sign.

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.

A shorter sign would not be visible due to nearby buildings and the property's setback. The 15-ft height restores visibility and makes use of the existing base.

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 variance allows fair visibility consistent with other nearby businesses and the prior sign at this location.

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 property sits farther back than neighboring buildings, reducing visibility. A taller sign is needed for drivers to see it safely.

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

The 15-ft height is the minimum needed for visibility; it's not excessive and fits the scale of the site.

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 taller sign matches nearby commercial signs and our other business locations, maintaining a consistent, professional look.

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

The need comes from the property's location and existing base, not from any action by the current owner.

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).



8' from Grade
60Sqft total



1221 East 14 Mile Rd.
Troy MI 48083
Ph.248-577-6191
info@signsmh.com
www.signsmh.com

☐ APPROVED AS-IS ACCEPTED BY: _____
☐ NEEDS REVISION DATE: _____
☐ REJECTED

Please check the spelling, layout, colors and sizes
After customer signs off, we will start production AS-IS show above
if fail to do so Signs & Engraving will not be responsible for rework

File Name: _____
Designed by: _____
Date: _____

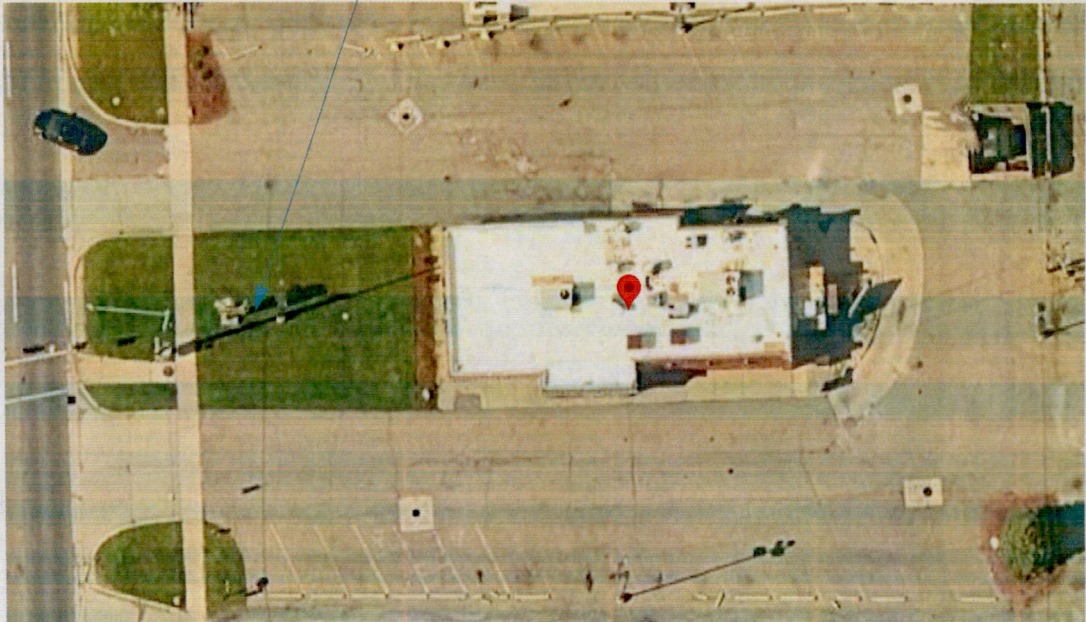
Signs & Engraving II Inc.
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Previous Sign

Sign Location



1221 East 14 Mile Rd.
Troy MI 48083
Ph.248-577-6191
info@signsmh.com
www.signsmh.com

☐ APPROVED AS-IS ACCEPTED BY: _____

☐ NEEDS REVISION

DATE: _____

☐ REJECTED

Please check the spelling, layout, colors and sizes
After customer signs off, we will start production AS-IS show above
If fail to do so Signs & Engraving will not be responsible fro rework

File Name: _____

Designed by: _____

Date: _____

Signs & Engraving II Inc.
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2. **B-1 Neighborhood Business District; B-2 Community Business District; B-3 Regional Business Districts; CC City Center District; and MUI Mixed Use Innovation Districts.**

Sign Type	B-1, B-2, B-3, CC, and MUI Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage per parcel. If a parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 8 feet). No sign shall be located closer than 30 feet to any property line of an adjacent residential district.
Monument Signs	Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 60 square feet in area, whichever is less
Decorative Post Signs	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.
Wall Signs	Maximum Total Sign Area per Façade: Street Frontage/Primary Façade: 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet per street facing façade or primary façade. Buildings/tenants with an individual street frontage or primary façade length in excess of 200 feet or whose primary façade is set back more than 150 feet from the right-of-way line of the adjacent street shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 150 square feet of total sign area per façade Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary frontage length, not to exceed 100 square feet. Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area. In an enclosed building where the public is not allowed in the building and where food is offered to the public through a window for immediate consumption the maximum coverage shall be 50 percent.
Temporary Signs	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot 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.

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, December 4th, 2025 at 7:30 p.m.** to consider the following requests:

Item 2.

1. Case # PZBA 25-10: 32500 John R Road

REQUEST: The applicant, Marija Dedvukaj, requests variances from Section 12.04, Prohibited Signs, and Section 12.07, Regulations for Permitted Signs, to permit the installation of a pylon sign that exceeds the maximum permitted height for ground signs within the B-3 zoning district. The subject property is located at 32500 John R Road (TM# 44-25-01-151-063) and is zoned B-3, Regional Business.

The application 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.madison-heights.org in the Agenda Center after 4:00 p.m. on Friday before the meeting.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and  ment 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

**MADISON HEIGHTS ZONING BOARD OF APPEALS
2026 MEETING SCHEDULE [For Adoption]**

First Thursday of each month at 7:30 p.m. (unless otherwise noted or canceled)

Council Chambers – 300 W. 13 Mile Road (unless otherwise noted)
Madison Heights, MI 48071

MEETING DATE	APPLICATION DEADLINE (By close of business)	NOTICES PUBLISHED
January 8th, 2026 ^(a)	TBD	TBD
February 5th	TBD	TBD
March 5th	TBD	TBD
April 2nd ^(b)	TBD	TBD
May 7th	TBD	TBD
June 4th	TBD	TBD
JULY - NO MEETING	--	--
August 6th	TBD	TBD
September 3rd	TBD	TBD
October 1st	TBD	TBD
November 5th	TBD	TBD
December 3rd	TBD	TBD

(a): Second Thursday of January due to New Years Day

(b): April meeting subject to cancellation/rescheduling for Passover

Adopted: _____, 2025