



**CITY OF MADISON HEIGHTS**  
**CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.**  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**FEBRUARY 10, 2025 AT 7:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILOR WRIGHT**

**APPROVAL OF THE AGENDA:**

1. Additions/Deletions      **Consent: Fire Chief KIEP Extension**

**PRESENTATIONS**

2. Fire Chief - 2024 Firefighter of the Year Award
3. Oakland County Treasurer Robert Wittenberg - Presentation on Foreclosure Prevention

**PUBLIC HEARINGS:**

**ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE**

**MEETING OPEN TO THE PUBLIC:**

**CONSENT AGENDA:**

4. 2025 Random Acts of Kindness Proclamation
5. Director of Public Services - 2025 Fireworks Display Permit Approval
6. City Council Regular Meeting Minutes of January 27, 2025

**COMMUNICATIONS:**

**REPORTS:**

**ITEMS FOR FUTURE PUBLIC HEARINGS:**

**BID AWARDS/PURCHASES:**

**ORDINANCES:**

7. CED Director - Ordinance 2202 - Rezoning PRZN 24-02 - 1357 W. 14 Mile Road [R-2 to B2],  
First Reading

**UNFINISHED BUSINESS:**

**EXECUTIVE SESSION:**

**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](mailto:clerks@madison-heights.org) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: February 6, 2025

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, February 10, 2025

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The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, February 10, 2025.

**PRESENTATIONS:**

2024 FIREFIGHTER OF THE YEAR AWARD

Fire Chief Greg Lelito has requested time on the Council agenda to present the 2024 Firefighter of the Year Award.

OAKLAND COUNTY TREASURER – PRESENTATION ON FORECLOSURE PREVENTION

Oakland County Treasurer Robert Wittenberg has requested time on the agenda to give the presentation on tax foreclosure prevention.

**CONSENT AGENDA:**

RANDOM ACTS OF KINDNESS PROCLAMATION

City Council is scheduled to proclaim the week of February 9 through February 15, 2025, as Random Acts of Kindness Week. In its twenty-ninth consecutive year of celebrating Random Acts of Kindness Week, the City will again celebrate the human capacity for kindness. We encourage everyone to take kindness to heart.

2025 FIREWORKS DISPLAY PERMIT APPROVAL

The permit application process for a commercial or public fireworks display in the State of Michigan requires approval of the legislative body.

Staff recommends that Council approve the permit for the 2025 Festival in the Park Fireworks Display from Pyrotechnico Fireworks, and authorize the Mayor to sign on the City's behalf.

**ORDINANCES:****REZONING PRZN 24-02 (ORDINANCE 2202): 1357 W. 14 MILE ROAD- R-2 TO B-2-  
FIRST READING**

The applicant, Jim Tottingham, on behalf of the property owner, Debasish Mridha, requests to rezone one (1) parcel of land located at 1357 W. 14 Mile Road (TM# 44-25-02-101-056) from R-2, One-Family Residential district, to B-2, Community Business district. The subject parcel is approximately 2.3 acres in size and is improved with a 14,200 square foot building, previously occupied by a church, and an associated parking lot and accessory structure. The property is located on the south side of W. 14 Mile Road between Campbell Road and Stephenson Highway. The Planning Commission recommended approval of the rezoning at their January 21st, 2025 meeting.

Staff recommends that the City Council adopt Ordinance # 2202 (PRZN 24-02) upon first reading and schedule the second and final reading for the February 24th, 2025 City Council Meeting.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 2/10/25

**PREPARED BY:** Greg Lelito

**AGENDA ITEM CONTENT:** 2024 Firefighter of the Year Award

**AGENDA ITEM SECTION:** Presentations

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

2024 Firefighter of the Year

**RECOMMENDATION:**





# Prevent Property Tax Foreclosure

Robert Wittenberg  
Oakland County Treasurer

# Oakland Treasurer's Office At-A-Glance

July 1, 2023 – June 30, 2024

Collaboration	34 City, Village and Township Meetings	70 County Department Leader Meetings	203 Community Events Attended	268 Business, Civic, Community, Education and Faith-Based Leader Meetings
	425 Surplus Properties	23 Side Lots Sold	\$8,816 Side Lot Sales	5 Sold by OCLBA

## Public Funds Security, Investments and Management

\$1.12B County Funds Invested	\$20.4M Interest Earned	\$574M Funds Deposited	\$526M Debt Managed for Capital Projects	\$2.09B Funds Disbursed
622 Home Repair Mortgage Payments Received	\$97K Mortgage Payment Received	48,305 Vendor Payments	177K Employee and Retiree Payments	56 Government Units in the Local Government Investment Pool (LGIP)

# Property Tax Foreclosure Prevention

Our office works tirelessly and collaboratively throughout the year to assist residential and commercial property owners to prevent foreclosure while complying with Michigan law.

A summary of our efforts is below.

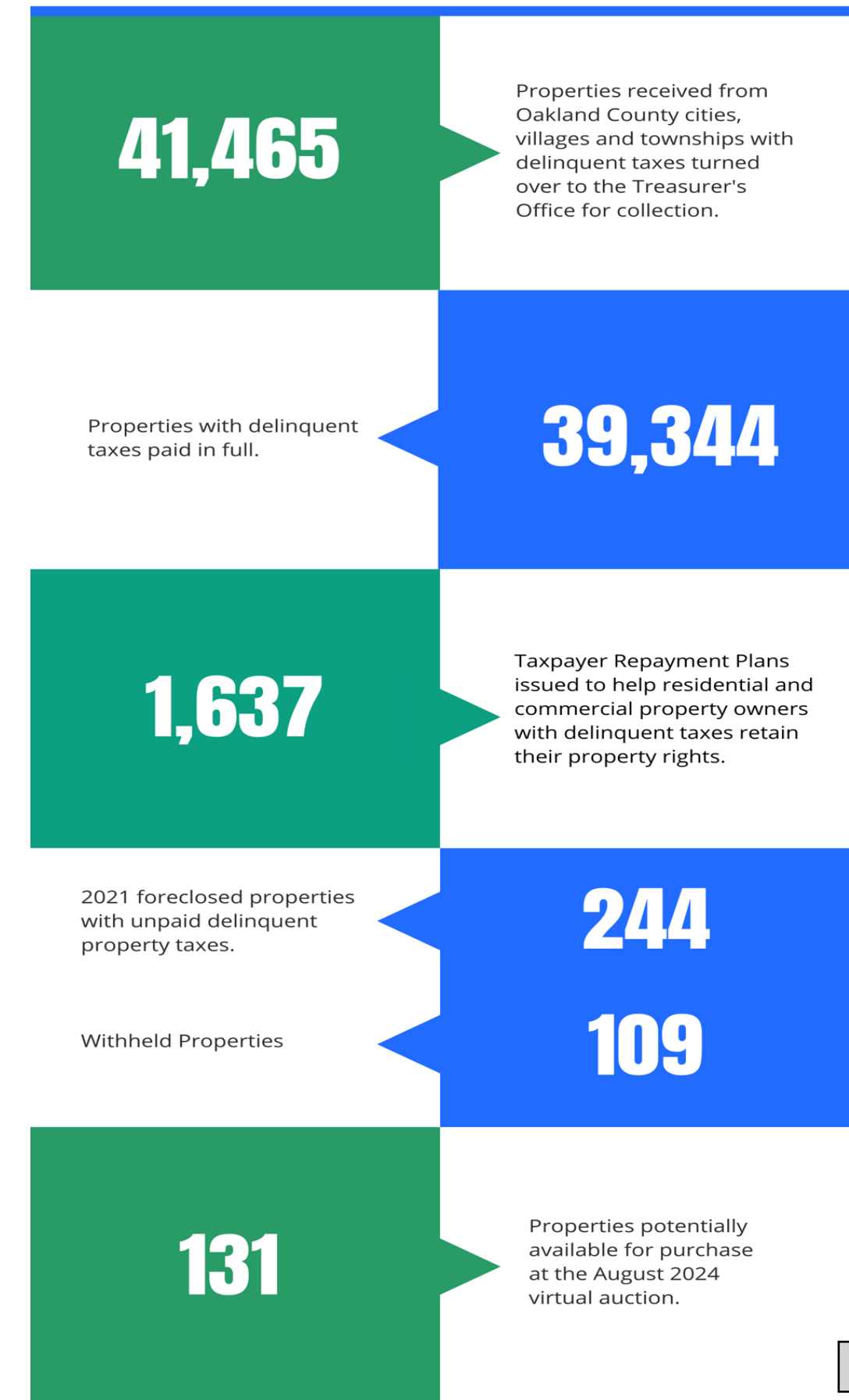
- 1,414 taxpayer assistance meetings
- 1,637 taxpayer repayment plans
- 4,931 delinquent property visits to provide notice and resources
- 8,070 business engagements to prevent property seizure
- 70,932 resources and notices for 2023-2025 foreclosure years
- 2.4 million total impressions from the multimedia campaign
- \$7.415 million in MIHAF financial assistance from 755 applications. The program concluded in December 2023.



## Prevent Property Tax Foreclosure Recap

Item 3.

The following data summarizes the 2021 delinquent property taxes, our efforts to prevent property tax foreclosure, and the third and final year of the foreclosure process.





# Michigan Property Tax Foreclosure Process

## Year One: Delinquency

On March 1 of each year, the prior year's unpaid property taxes become delinquent and are payable to the Oakland County Treasurer's Office.

## Year Two: Forfeiture

On March 1 of the following year, the property is forfeited to the County Treasurer.

## Year Three: Foreclosure

In January or February of the following year, the Oakland County Treasurer conducts an Administrative Show Cause Hearing. A Judicial Foreclosure Hearing will also be held before a Circuit Court Judge.

March 31: Last day to pay all delinquent property taxes to retain property ownership and prevent foreclosure.

April 1: The property is foreclosed on for unpaid taxes. Ownership transfers to the Oakland County Treasurer's Office and is subsequently sold at auction.

## After Foreclosure: Claims Process

July 1: Former property interest holders must submit their intent to claim sales proceeds and become a claimant.

July – November: Property is sold at auction.

January: Oakland County Treasurer's Office notifies claimants of sale proceeds, if any.

February – May: The claimant must file a motion with the Court which determines the priority of claims, amount and issues order. The County Treasurer remits payment within 21 days of a court order.

## Fees Added

4% administrative fee  
12% interest accrues per year  
\$15 notification fee on Oct. 1

\$235 minimum fee  
18% interest rate per year retroactive to Mar. 1 of the previous year.

June 1 – January 31  
\$40 property notification visit  
\$15 lienholders notification  
\$10 newspaper notification

## Notifications

### Year One

Jun 1: Tax Delinquency Notice

Sep 1: Tax Delinquency Notice

### Year Two

Feb 1: Pending Forfeiture Notice\*

Jun-Nov: Pending Foreclosure Notice

Fall: Property Visit Notice

Fall: Publication Notice

Dec 1: Foreclosure Hearing Notice\*

### Year Three

Apr/May: Foreclosure Notice Follow-Up with Claims Information

### Claims Process

Jan: Claimant Notice\* sent to Sales Proceeds form filers.

\* Delivered by certified mail



## Property Tax foreclosure is a three-year process.

2022 Unpaid Property Taxes

4,149 Delinquent properties were turned over for collection.

4,915 Properties were forfeited on Mar. 1, 2024, and are subject to foreclosure.

# 2025 Property Tax Foreclosure Prevention Efforts

## The deadline is March 31.

Full Payment or Repayment Plan

All unpaid 2022 property taxes must be paid in full, or a Repayment Plan must be approved by March 31, 2025.

## We're here to help!

FEC and TAMs

Our Financial Empowerment Center (FEC) offers free and confidential financial counseling services.

Taxpayer Assistance Meetings (TAMs) are one-on-one calls to potentially set up or renew a repayment plan and will be held from December 2024 through March 2025.

## Community outreach is ongoing.

Community Meetings and Campaign

Our efforts to raise awareness and encourage property owners with unpaid property taxes to pay in full or contact our office for assistance are ongoing. We also conduct a multimedia advertising campaign throughout February and March.

## Properties with unpaid taxes will be foreclosed.

Per State law, property ownership transfers to the Treasurer's Office.

Foreclosed properties will be available for purchase in a virtual land sale auction in the summer and fall.

In 2024, 131 properties were available for purchase.

## Help us spread the word.

Digital and print materials are available.

We appreciate your assistance and support. Flyers and articles are available. We also welcome the reposting of our social media content.



**AVOID  
FORECLOSURE**

## Community Resources

**Financial Empowerment Center**  
Oakland County Treasurer's Office

(248) 858-0672

[oakgov.com/treasurer](http://oakgov.com/treasurer)

**Poverty Exemption**  
Oakland County Equalization  
Department or  
Local Assessor

(248) 858-0740

[oakgov.com](http://oakgov.com)

**Lakeshore Legal Aid**  
New Clients

(888) 783-8190

[lakeshorelegalaid.org](http://lakeshorelegalaid.org)

[oakgov.com/treasurer](http://oakgov.com/treasurer)



# ● Residential Property Owners

## ● Education Program

As part of our ongoing property tax foreclosure prevention efforts, the Oakland County Treasurer's Office is launching a Residential Property Owner Education Program to empower homeowners with essential knowledge about property taxes and prevent foreclosure.

The video series will:

- Focus on educating homeowners about property taxes, especially "pop-up taxes" that can affect new buyers.
- Explain the three-year property-tax foreclosure process.
- Provide guidance to seniors and homeowners who have paid off their mortgages on the importance of saving for property taxes.
- Help residential property owners understand their property assessment notices and tax bills.



# Contact Us



[bit.ly/octo-subscribe](https://bit.ly/octo-subscribe)

**Robert Wittenberg**  
Treasurer  
Oakland County Treasurer's Office  
(248) 858-0611  
[treasurer@oakgov.com](mailto:treasurer@oakgov.com)



**PROCLAMATION  
RANDOM ACTS OF KINDNESS WEEK**

**WHEREAS,** our daily news is dominated by tragic stories of crime, violence and disaster, often leaving citizens with feelings of despair and helplessness; and,

**WHEREAS,** Twenty-eight years ago former Councilwoman Margene Scott created the very first proclamation and introduced *Random Acts of Kindness Week* to the City of Madison Heights, and has helped the City celebrate Random Acts of Kindness each year since through her dedicated services to the City and continues to do so after her retirement in 2019; and,

**WHEREAS,** Random Acts of Kindness Week is enacted to encourage Madison Heights residents to commit conscious acts of goodwill as an affirmation of the goodness and generosity of the human spirit; and,

**WHEREAS,** by performing small acts of kindness on a daily basis, we have an opportunity to recognize and celebrate the far-reaching effects we as individuals can have on the world around us; and,

**WHEREAS,** it is time for everyone to exemplify kindness in our daily lives, and make an effort to be better humans. Remember to TAKE KINDNESS TO HEART. The work of being kind never ends, and kindness is truly essential to our survival. Being kind every day is one way we can all make a difference.

**NOW, THEREFORE BE IT RESOLVED,** that the Mayor and City Council proclaim the week of February 9 – 15, 2025 as

**ACTS OF KINDNESS WEEK**

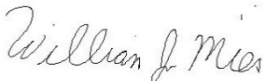
and urge all citizens to join in celebrating the week with acts of kindness, patience and understanding, and we challenge you to make kindness a way of life, all year long.



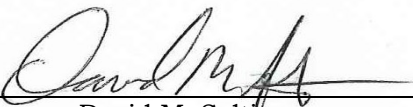
Roslyn Grafstein  
Mayor



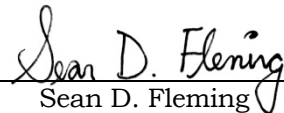
Mark Bliss  
Mayor Pro Tem



William J. Mier  
Councilman



David M. Soltis  
Councilor



Sean D. Fleming  
Councilman



Emily J. Rohrbach  
Councilor



Quinn J. Wright  
Councilor



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 2/10

**PREPARED BY:** Sean P. Ballantine, Director of Public Services

**AGENDA ITEM CONTENT:** Director of Public Services - 2025 Fireworks Display Permit Approval

**AGENDA ITEM SECTION:** Consent Agenda

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

The permit application process for a commercial or public fireworks display in the State of Michigan requires approval of the legislative body.

**RECOMMENDATION:**

Staff recommends that Council approve the permit for the 2025 Festival in the Park Fireworks Display from Pyrotechnico Fireworks, and authorize the Mayor to sign on the City's behalf.

# 2025 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY  
OF CITY, VILLAGE OR TOWNSHIP  
BOARD ONLY  
DATE PERMIT(S) **Item 5.**

Authority: 2011 PA 256		The <b>LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD</b> will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.		
TYPE OF PERMIT(S) (Select all applicable boxes)				
<input type="checkbox"/> Agricultural or Wildlife Fireworks		<input type="checkbox"/> Articles Pyrotechnic		<input checked="" type="checkbox"/> Display Fireworks
<input checked="" type="checkbox"/> Public Display		<input type="checkbox"/> Private Display		
<input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes				
NAME OF APPLICANT Pyrotecnico Fireworks, Inc.		ADDRESS OF APPLICANT 299 Wilson Rd, New Castle, PA 16101		AGE OF APPLICANT 18 YEARS OR OLDER X YES <input type="checkbox"/> NO
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER Stephen Vitale		ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER 299 Wilson Rd, New Castle, PA 16101		
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) Michael Falk		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) 4369 E Summit Woods Dr NE, Rockford, MI 49341		TELEPHONE NUMBER 616.427.0377
NAME OF PYROTECHNIC OPERATOR Brennen Rauch		ADDRESS OF PYROTECHNIC OPERATOR 4369 E Summit Woods Dr NE, Rockford, MI 49341		AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER X YES <input type="checkbox"/> NO
NO. YEARS EXPERIENCE 13 years	NO. DISPLAYS 40+ displays	WHERE Michigan		
NAME OF ASSISTANT Steve Creasy		ADDRESS OF ASSISTANT 4369 E Summit Woods Dr NE, Rockford, MI 49341		AGE OF ASSISTANT 18 YEARS OR OLDER X YES <input type="checkbox"/> NO
NAME OF OTHER ASSISTANT Matthew Gillhespy		ADDRESS OF OTHER ASSISTANT 4369 E Summit Woods Dr NE, Rockford, MI 49341		AGE OF OTHER ASSISTANT 18 YEARS OR OLDER X YES <input type="checkbox"/> NO
EXACT LOCATION OF PROPOSED DISPLAY Civic Center Park, 360 W 13 Mile Rd., Madison Heights MI 48071				
DATE OF PROPOSED DISPLAY June 29, 2025		TIME OF PROPOSED DISPLAY Approx. 10:10 pm		
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT  No storage necessary, delivered on date of display				
AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) \$10,000,000.00		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Britton-Gallagher & Associates		
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY One Cleveland Center, Floor 30; 1375 East 9 <sup>th</sup> Street, Cleveland, OH 44114				
NUMBER OF FIREWORKS		KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)		
Approximately 2500		Aerial display shells ranging in size from 1 ¼ inches to 6 inches in diameter		
SIGNATURE OF APPLICANT 				DATE January 17, 2025

Bureau of Fire Services  
P.O. Box 30700  
Lansing, MI 48909  
(517) 241-8847

Authority: 1988 PA 358	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency.
Compliance: Voluntary	
Penalty: Permit will not be issued	

*This permit is not transferable. It authorizes the resident wholesale dealer or jobber named below to have in his or her possession fireworks of any type, for sale only to holders of permits for public display or agriculture control.*

Issued To Pyrotecnico Fireworks, Inc.		Age (18 or over) Yes
Address 4369 E Summit Woods Dr NE, Rockford, MI 49341		
Name of Organization, Group, Firm, or Corporation City of Madison Heights, MI		
Address 300 W 13 Mile Road, Madison Heights MI 48071		
Number and Types of Fireworks  Approximately 2500 aerial display shells ranging in size from 1 ¼ inches to 6 inches in diameter.		
Exact Location of Display Civic Center Park, 360 W 13 Mile Rd., Madison Heights MI 48071		
City, Village, Township City of Madison Heights, MI	Date June 29, 2025	Time Approx. 10:10 pm
Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Amount \$10,000,000.00

Issued by action of the Legislative Body of the

☐ City ☐ Village ☐ Township of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2025  
(Name of City, Village, Township)

\_\_\_\_\_  
(Signature and Title of Legislative Body Representative)

### Instructions for Application for Fireworks Other Than Consumer or Low Impact

Applications shall be submitted to the legislative body of a city, village or township board. A permit may be issued as a result of official action by the legislative body. A permit shall be valid only for use within the limits of the jurisdiction of the legislative body of a city, village or township board.

1. Type of Permit – check all boxes that may apply to the type of permit needed. You may select several permit types depending on your fireworks display. You may check with your legislative body of a city, village or township board for assistance when making your selection. Please review the following definitions to determine which type of permit to select:
  - Agricultural or Wildlife Fireworks – devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the US Department of Interior or Michigan DNR.
  - Articles Pyrotechnic – 1.4G fireworks for professional use only that is classified as UN0431 or UN0432.
  - Display Fireworks – 1.3G fireworks for professional use only
  - Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes – devices with a combination of chemical elements or compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical or thermal effect for pest or animal control.
  - Public Display – a fireworks display that is open to all persons for viewing.
  - Private Display – a fireworks display that is not open to the general public for viewing.
2. Name of applicant – list the name of the applicant. The applicant may be a person representing an organization, group, firm or corporation, or self. If the applicant is also the operator, enter the same name in the operator's section.
3. Address of applicant – complete the address of the applicant; include the street address, city, state and zip code.
4. Name of person or resident agent representing corporation, LLC, DBA or other – list the name of the person or resident agent that represents the corporation, LLC, DBA or other.
5. Address of person or resident agent that represents the corporation, LLC, DBA or other – list the address of the person or resident agent representing the corporation, LLC, DBA or other.
6. Non-resident applicant – list the name of the non-resident applicant. A non-resident applicant shall appoint a Michigan attorney or Michigan resident agent in writing to be the applicant's legal representative upon whom all service of process in any action or proceeding may be served.
7. Name of pyrotechnic operator – list the name of the pyrotechnic operator. The pyrotechnic operator is the person in charge of the display. The legislative body of a city, village or township board shall rule on the competency and qualifications of the operator before granting a permit and may require an affidavit from the applicant as to the operator's experience, former pyrotechnic accidents, criminal record, sobriety, etc.
8. Address of pyrotechnic operator – list the address of the pyrotechnic operator; include the street address, city, state and zip code.
9. Age of the pyrotechnic operator – list the age of the pyrotechnic operator; the operator must be 18 years of age or older.
10. Name of assistant – list the name of the assistant to the pyrotechnic operator;
11. Address of assistant – list the address of the assistant; include the street address, city, state and zip code. If there is more than one assistant, please list additional assistants on a separate sheet and include the address and age of those additional assistants.
12. Age of assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
13. Name of other assistant – list the name of other assistant to the pyrotechnic operator.
14. Age of other assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
15. Exact location of proposed display – list the address of the exact location of the proposed fireworks display.
16. Date of proposed display – indicate the date of the proposed fireworks display; only one display date can be used per application.
17. Time of proposed display – indicate the time of the proposed fireworks display.
18. Manner and place of storage - indicate the manner and place of storage within the legislative body of a city, village or township board of fireworks that are ready for display, just prior to the display in the area of exhibition. The legislative body of a city, village or township board shall obtain approval from the local fire authorities of the manner and place of storage before any permit is issued.

19. Amount of bond or insurance - the issuing legislative body of a city, village or township board shall set the amount of and proof of bond or insurance for the protection of the public to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the person, firm or corporation, or any agent or employee of the applicant. The applicant shall assure the bond or insurance required is provided.
20. Name of bonding corporation or insurance company – provide the name of the bonding corporation or insurance company for which the bond was issued through.
21. Address of bonding corporation or insurance company – list the address of the bonding corporation or insurance company; include the street address, city, state and zip code.
22. Number of fireworks and kind of fireworks to be displayed– indicate the total amount of fireworks proposed for the display or use and a description of the type of fireworks for display; such as 10 aerial bombs, 30 aerial rocket bursts, etc.
23. The application is valid for the calendar year in which the application was received and permit was issued.
24. Permit fees shall be established by the legislative body of a city, village or township board and shall be submitted to and retained by legislative body of a city, village or township board.
25. Permitting will be in compliance with the [Michigan Fireworks Safety Act, PA 256 of 2011](#), [MCL 28.466, Section 16](#).
26. **Mail the application to the legislative body of a city, village or township board within the location jurisdiction of the display.** DO NOT mail the application to the Bureau of Fire Services (BFS). If mailed to the BFS, it will be returned to the sender.

City Council Regular Meeting  
Madison Heights, Michigan  
January 27, 2025

A City Council Regular Meeting was held on Monday, January 27, 2025 at 7:30 PM at City Hall  
- Council Chambers, 300 W. 13 Mile Rd.

**PRESENT**

Mayor Roslyn Grafstein  
Mayor Pro Tem Mark Bliss  
Councilman Sean Fleming  
Councilman William Mier  
Councilor Emily Rohrbach  
Councilman David Soltis  
Councilor Quinn Wright

**ALSO PRESENT**

City Manager Melissa Marsh  
City Attorney Larry Sherman  
Deputy City Manager/City Clerk Cheryl Rottmann

Councilman Soltis gave the invocation and the Pledge of Allegiance followed.

**MEETING OPEN TO THE PUBLIC:**

Natalia (last name not given), resident, spoke in opposition to ICE raids. She is concerned about how Madison Heights will address this if these raids come to us, specifically in the schools. She spoke to the 14th amendment and of the right to due process.

**CM-25-07. Consent Agenda.**

Motion to approve the Consent Agenda as read.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-25-08. Proclamation Celebrating the 2025 Lunar New Year.**

City Council proclaimed and recognized the 2025 celebration of the Asian Lunar New Year which will usher in the Year of the Snake, a symbol of wisdom, resilience, and transformation in many Asian cultures. City Council encourages all residents to celebrate the rich diversity, traditions, and cultural significance of the Lunar New Year and celebrate the contributions of Asian Americans to the success and vitality of our city.

**CM-25-09. Proclamation for Black History Month 2025.**

City Council proclaimed February 2025 as Black History Month in the City and call upon all residents to reflect upon the rich history and contributions of Black Americans, to participate in local initiatives that promote diversity and inclusion, and to explore opportunities for involvement with committees, boards, and commissions that are essential to shaping the future of our city.

**CM-25-10. City Council Regular Meeting Minutes of January 13, 2025.**

Motion to approve the City Council Regular Meeting Minutes of January 13, 2025, as printed.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-25-11. Amendments to FY 2024-25 Budget.**

Motion to approve the attached budget amendments to the FY 2024-25 Budget and appropriate the necessary funds.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**COUNCIL COMMENTS:**

Councilman Mier thanked Council for recognizing Black History Month, the Lunar New Year and Holocaust Memorial Day. He commented that he attended the Library Advisory Board meeting and there are a lot of events going on at the library, so check them out and participate. There are also many events through the Recreation Department and the Active Adult Center to participate in.

Mayor Pro Tem Bliss noted that the Historical Commission is kicking off the City's 70th anniversary with the *Moments that Made Us* - ten moments in the City's history that made us the city we are today. To highlight this, there will be an Open House at the Heritage Rooms with special guests who played a role in shaping our community. These will be on the 2nd Saturdays of March, June, September and December from 10 a.m. to 1 p.m. The Arts Board is working hard to bring a summer of music to Madison Heights. In celebration of our 70th Anniversary, each musical event will begin with a song from the year Madison Heights was formed. There will be four summer concerts dates: July 9th, July 23rd, August 13th and August 27<sup>th</sup>, followed by *Trail Tunes* on September 6th. There are lots of activities for the community to engage in.

Councilor Wright announced *Revin' in the Heights* will be on September 13th. He expressed thanks to the young lady who came out tonight and for speaking her truth, noting that it is hard to come and speak in front of people. There are a lot of folks who do not know how to feel right now, some are scared, and we need to be kind, show grace, and give people room. Days like today, when we have Holocaust Remembrance Day as well as a month celebrating Black History allows us to understand history so we can move forward. He



announced that he will be holding office hours on February 15th at Library from 11 a.m. to 1 p.m. so please feel free to join him or send comments or concerns to [quinnwright@madison-heights.org](mailto:quinnwright@madison-heights.org). Remember to be kind and celebrate each other.

City Attorney Sherman expressed congratulations to Tina Karanfil on her retirement from the 43rd District Court, noting she will be missed by everyone at the court.

City Manager Marsh had no comments this evening.

Deputy City Manager/City Clerk Rottmann had no comments this evening.

Councilor Rohrbach acknowledged the resident speaker, stating we appreciate your views, and they reflect a lot of those in the city. The diversity in this city is what makes it a special place to live. It is important that we take care of each other and acknowledge the goodness that people bring to our community. We are better when we come together and acknowledge and celebrate each other. Freedom that doesn't extend to everyone is not freedom; it is a privilege. As we are celebrating Asian Lunar New Year, Black History Month, Holocaust Remembrance Day, the persecution of anyone is not acceptable or right.

Councilman Fleming noted that Lao Pot will be having Lunar New Year Festival Parade on February 12th at 5:30 p.m. and he hopes all can come out a support the event. February 2nd is Ground Hog's Day, and he is hoping Spring is coming soon. He read a statement noting that today is the 80th anniversary of the liberation of Auschwitz and Birkenau concentration camps. The word holocaust is a word that is used for this one single event in world history. It is antisemitic to participate in the "oppression olympics" and to make comparisons to the holocaust. It is also antisemitic to use the holocaust name in another situation is life. Using another version of the holocaust is diminishing the importance of the holocaust to its victims. In today's society, we want to make sure we are sensitive to others; we want to use nice words, that sound non-violent in nature, such as "parish" or "loss of lives" but this waters down and sanitizes the brutality of the holocaust and diminishes the facts. During the holocaust, Jews and others were oppressed, persecuted and murdered. The holocaust should also never be used for political talking points. And finally, we should not perform performative actions today and tomorrow minimize the oppression that has been ongoing against Jews today.

Councilman Soltis had no comments this evening.

Mayor Grafstein thanked Natalia from speaking today and stated that she understands where she is coming from. She commented that the City is not changing any policy and does not have jurisdiction over immigration law and that is outside the authority of our police. With respect to today being the 80th anniversary of the liberation of Auschwitz, she noted that her great uncle and his family were butchered there simply because they were Jewish. We need to remember this. There is a lot of good and a lot of bad going on in the world and there has been one holocaust. She spoke of her experience with visiting a concentration camp and the horrors that were experienced there. It is the Lunar New Year coming up, the Year of the Snake. The next City Council meeting is February 10th.

## ADJOURNMENT

Having no further business, Mayor Grafstein adjourned the meeting at 7:56 p.m.

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Roslyn Grafstein, Mayor

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Cheryl E. Rottmann, City Clerk

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b>General Fund (101)</b>					
<u>Revenues</u>					
Property Taxes	\$ 26,125,670	\$ -	\$ -	\$ -	\$ 26,125,670
Business Licenses/Permits	553,423	-	-	50,000	603,423
Non-Business License/Permits	662,500	-	-	-	662,500
Federal Shared Revenues	125,382	-	600,000	-	725,382
State Shared Revenues	7,176,824	-	500,000	(727,918)	6,948,906
Other Governmental Revenues	294,836	-	-	-	294,836
County Shared Revenues	38,186	-	-	22,500	60,686
SMART Shared Revenues	70,019	-	-	-	70,019
Court Revenues	1,743,000	-	-	-	1,743,000
Charges for Services	260,430	-	-	-	260,430
Sales - Miscellaneous	6,450	-	-	-	6,450
Recreation Program Revenues	289,000	-	-	-	289,000
Miscellaneous Revenues	2,112,101	-	-	601,262	2,713,363
Sale of Fixed Assets	97,000	-	-	-	97,000
Departmental Charges	821,480	-	-	-	821,480
Transfers	2,275,395	-	-	(1,618,123)	657,272
(Contr. To)/Use of Fund Balance	-	2,370,571	16,983	2,047,128	4,434,682
Total Revenues	\$ 42,651,696	\$ 2,370,571	\$ 1,116,983	\$ 374,849	\$ 46,514,099
<u>Expenditures</u>					
Mayor & Council	\$ 61,875	\$ -	\$ -	\$ -	\$ 61,875
City Manager	413,338	-	-	-	413,338
Finance	916,912	-	-	-	916,912
City Clerk	448,646	-	-	-	448,646
Information Technology	539,590	96,000	16,983	46,864	699,437
Insurance	281,500	-	-	-	281,500
Board of Review	3,043	-	-	-	3,043
General Administration	605,116	26,700	-	109,151	740,967
Assessing	245,242	-	-	-	245,242
Election	139,284	10,000	-	18,000	167,284
DPS-Municipal Building	186,662	-	500,000	-	686,662
Legal	375,000	-	-	-	375,000
DPS-Custodial & Maintenance	194,488	-	-	-	194,488
Human Resources	533,225	-	-	-	533,225
District Court	1,741,108	44,680	-	-	1,785,788
Police	14,416,351	502,000	500,000	(420,880)	14,997,471
Fire	10,206,231	157,369	-	41,435	10,405,035
DPS-Streets	1,348,722	243,747	-	44,262	1,636,731
DPS-Solid Waste	4,368,731	150,000	-	297,000	4,815,731
Community Development	1,259,906	15,775	100,000	-	1,375,681
DPS-Recreation	396,436	-	-	-	396,436
DPS-Parks	986,164	1,064,300	-	239,017	2,289,481
DPS-Nature Center	-	-	-	-	0
DPS-Active Adult Center	476,226	50,000	-	-	526,226
Library	997,292	10,000	-	-	1,007,292
Pension Obligation Debt Services	1,028,108	-	-	-	1,028,108
Transfer Out	482,500	-	-	-	482,500
Total Expenditures	\$ 42,651,696	\$ 2,370,571	\$ 1,116,983	\$ 374,849	\$ 46,514,099

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b>Major Streets (202)</b>					
<u>Revenues</u>					
State Shared Revenues	\$ 2,596,466	\$ -	\$ -	\$ -	\$ 2,596,466
County Shared Revenues	85,391	-	-	-	85,391
Miscellaneous Revenues	-	-	-	-	-
Prior Years Fund Balance	(590,848)	992,508	-	-	401,660
Total Revenues	<u>\$ 2,091,009</u>	<u>\$ 992,508</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,083,517</u>
<u>Expenditures</u>					
Construction	\$ 1,425,000	\$ 992,508	\$ -	\$ -	\$ 2,417,508
Maintenance	149,954	-	-	-	149,954
Traffic Services	201,521	-	-	-	201,521
Winter Maintenance	204,945	-	-	-	204,945
Administration	11,910	-	-	-	11,910
County Roads	97,679	-	-	-	97,679
Transfers	-	-	-	-	0
Total Expenditures	<u>\$ 2,091,009</u>	<u>\$ 992,508</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,083,517</u>
<b>Local Streets (203)</b>					
<u>Revenues</u>					
Property Taxes	\$ 2,028,464	\$ -	\$ -	\$ -	\$ 2,028,464
State Shared Revenues	1,203,720	-	-	-	1,203,720
County Shared Revenues	0	-	-	-	0
Miscellaneous Revenue	5,000	-	-	-	5,000
Transfers In	0	-	-	-	0
Prior Years Fund Balance	(750,914)	-	-	-	(750,914)
Total Revenues	<u>\$ 2,486,270</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,486,270</u>
<u>Expenditures</u>					
Construction	\$ 1,938,000	\$ -	\$ -	\$ -	\$ 1,938,000
Maintenance	319,268	-	-	-	319,268
Traffic Services	157,821	-	-	-	157,821
Winter Maintenance	60,020	-	-	-	60,020
Administration	11,161	-	-	-	11,161
Transfers	-	-	-	-	-
Total Expenditures	<u>\$ 2,486,270</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,486,270</u>

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b><u>Parks Maintenance &amp; Improvement Fund (208)</u></b>					
<u>Revenues</u>					
Miscellaneous	\$ 45,544	\$ -	\$ -	\$ -	\$ 45,544
Prior Years Fund Balance	-	-	-	-	-
Total Revenues	<u>\$ 45,544</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 45,544</u>
<u>Expenditures</u>					
Parks Maintenance & Improvement	\$ 45,544	\$ -	\$ -	\$ -	\$ 45,544
Transfers	-	-	-	-	-
Total Expenditures	<u>\$ 45,544</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 45,544</u>
<b><u>Downtown Development Authority (248)</u></b>					
<u>Revenues</u>					
Property Taxes	\$ 239,521	\$ -	\$ -	\$ -	\$ 239,521
State Shared Revenues	40,249	-	-	-	40,249
County Shared Revenues	-	-	313,982	-	313,982
Miscellaneous Revenue	250	-	-	-	250
Prior Years Fund Balance	290,954	-	-	470,972	761,926
Transfers In	-	-	-	-	-
Total Revenues	<u>\$ 570,974</u>	<u>\$ -</u>	<u>\$ 313,982</u>	<u>\$ 470,972</u>	<u>\$ 1,355,928</u>
<u>Expenditures</u>					
Downtown Development	\$ 88,246	\$ -	\$ -	\$ 470,972	\$ 559,218
Capital Outlay	455,000	-	313,982	-	768,982
Transfers	27,728	-	-	-	27,728
Total Expenditures	<u>\$ 570,974</u>	<u>\$ -</u>	<u>\$ 313,982</u>	<u>\$ 470,972</u>	<u>\$ 1,355,928</u>
<b><u>Drug Forfeiture Fund (265)</u></b>					
<u>Revenues</u>					
Other Governmental Revenues	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous Revenue	250	-	-	-	250
Transfers In	-	-	-	-	-
Prior Years Fund Balance	39,500	41,879	-	-	81,379
Total Revenues	<u>\$ 39,750</u>	<u>\$ 41,879</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 81,629</u>
<u>Expenditures</u>					
Vehicle - State, Patrol Vehicles	\$ 39,750	\$ 41,879	\$ -	\$ -	\$ 81,629
Total Expenditures	<u>\$ 39,750</u>	<u>\$ 41,879</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 81,629</u>

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b><u>Community Improvement Fund (276)</u></b>					
<u>Revenues</u>					
Federal Shared Revenues	\$ 148,924	\$ -	\$ -	\$ -	\$ 148,924
Prior Years Fund Balance	-	-	-	-	-
Total Revenues	<u>\$ 148,924</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 148,924</u>
<u>Expenditures</u>					
Community Development	\$ 148,924	\$ -	\$ -	\$ -	\$ 148,924
Total Expenditures	<u>\$ 148,924</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 148,924</u>
<b><u>Special Assessment Revolving (297)</u></b>					
<u>Revenues</u>					
Use of Fund Balance	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000
Total Revenues	<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 30,000</u>
<u>Expenditures</u>					
Construction	\$ 27,500	\$ -	\$ -	\$ -	\$ 27,500
Transfers Out	2,500	-	-	-	2,500
Total Expenditures	<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 30,000</u>
<b><u>Municipal Building Bond (370)</u></b>					
<u>Revenues</u>					
Transfers In	\$ 482,500	\$ -	\$ -	\$ -	\$ 482,500
Total Revenues	<u>\$ 482,500</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 482,500</u>
<u>Expenditures</u>					
Debt Service	\$ 482,500	\$ -	\$ -	\$ -	\$ 482,500
Total Expenditures	<u>\$ 482,500</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 482,500</u>

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b>Water &amp; Sewer Fund (592)</b>					
<u>Revenues</u>					
Sales of Water	\$ 5,569,911	\$ -	\$ -	\$ -	\$ 5,569,911
Sales of Sewer	7,517,799	-	-	-	7,517,799
Charges for Services	45,000	-	-	-	45,000
Miscellaneous	143,800	-	-	-	143,800
Sale of Fixed Assets	12,000	-	-	-	12,000
Department Charges	115,000	-	-	-	115,000
Transfers	-	-	-	-	-
Prior Years Fund Balance	286,744	125,000	32,718	-	444,462
Total Revenues	<u>\$ 13,690,254</u>	<u>\$ 125,000</u>	<u>\$ 32,718</u>	<u>\$ -</u>	<u>\$ 13,847,972</u>
<u>Expenditures</u>					
Sewage Disposal	\$ 4,758,894	\$ -	\$ -	\$ -	\$ 4,758,894
Water Purchased	2,887,346	-	-	-	2,887,346
Water System Maintenance	933,311	-	-	-	933,311
Water Tapping & Installation	50,000	-	-	-	50,000
Sewer System Maintenance	675,907	-	-	-	675,907
General Service Building	201,799	-	-	-	201,799
General Administration	1,586,830	-	-	-	1,586,830
Capital Outlay	2,444,405	125,000	32,718	-	2,602,123
Debt Administration	151,762	-	-	-	151,762
Total Expenditures	<u>\$ 13,690,254</u>	<u>\$ 125,000</u>	<u>\$ 32,718</u>	<u>\$ -</u>	<u>\$ 13,847,972</u>
<b>Department of Public Services (650)</b>					
<u>Revenues</u>					
Contributions - General Fund	\$ 791,856	\$ -	\$ -	\$ -	\$ 791,856
Contributions - Major Streets	108,389	-	-	-	108,389
Contributions - Local Streets	173,312	-	-	-	173,312
Contributions - Water/Sewer	1,434,576	-	-	-	1,434,576
Prior Years Fund Balance	-	-	-	-	-
Total Revenues	<u>\$ 2,508,133</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,508,133</u>
<u>Expenditures</u>					
Department of Public Services	\$ 2,508,133	\$ -	\$ -	\$ -	\$ 2,508,133
Total Expenditures	<u>\$ 2,508,133</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,508,133</u>

**CITY OF MADISON HEIGHTS  
AMENDED BUDGET  
FY 2024-25**

	FY 2024-25 Adopted Budget	FY 2023-24 Carryforward	Prior Approved Amendments	1/27/2025 Amendments	FY 2024-25 Amended Budget
<b><u>Motor Pool and Equipment Fund (661)</u></b>					
<u>Revenues</u>					
Contributions - General Fund	\$ 1,092,546	\$ -	\$ -	\$ -	\$ 1,092,546
Contributions - Water/Sewer	127,896	-	-	-	127,896
Fund Balance	-	-	-	-	-
Total Revenues	<u>\$ 1,220,442</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,220,442</u>
<u>Expenditures</u>					
Motorpool	\$ 1,220,442	\$ -	\$ -	\$ -	\$ 1,220,442
Total Expenditures	<u>\$ 1,220,442</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,220,442</u>
<b><u>Chapter 20 Drain Debt Service Fund (870)</u></b>					
<u>Revenues</u>					
Property Taxes	\$ 223,440	\$ -	\$ -	\$ -	\$ 223,440
Total Revenues	<u>\$ 223,440</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 223,440</u>
<u>Expenditures</u>					
Services and Charges	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000
Debt Service	73,440	-	-	-	73,440
Total Expenditures	<u>\$ 223,440</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 223,440</u>
Total Other Funds	\$ 23,507,240	\$ 1,159,387	\$ 346,700	\$ 470,972	\$ 25,484,299
Total General and Other Funds	\$ 66,158,936	\$ 3,529,958	\$ 1,463,683	\$ 845,821	\$ 71,998,398

**EXHIBIT A**  
**City of Madison Heights**  
**Explanation of Amendments for FY 2024-25**

<b>General Fund Revenues (101)</b>	<b>Explanation</b>	<b>Amount</b>	<b>Account Number</b>
Non-Business Licenses	Construction Permits	\$ 50,000	101-017-476-4771
Sales Tax Constitutional	Funding estimate decrease	(727,918)	101-023-574-5752
County Grant	Oakland County Parks & Rec, Civic Center Basketball Court	22,500	101-025-588-1000
Interest Earned	Projected Market Value Change	400,000	101-044-665-5000
Donations/Private Contributions	Elections - More Responsive Government Grant	18,000	101-044-674-0000
Donations/Private Contributions	Landscaping Work 14 Mile & John R, Donation	33,262	101-044-674-0000
Donations/Private Contributions	Jax Donation	150,000	101-044-674-0000
Transfer in OPEB Trust	Correct net funding amount	(1,618,123)	101-048-699-0730
Prior Years Fund Balance	Use of Fund Balance	2,047,128	101-053-692-6970
		<b>Total General Fund Revenues</b>	<b>\$ 374,849</b>

<b>General Fund Expenditures (101)</b>	<b>Explanation</b>	<b>Amount</b>	<b>Account Number</b>
Information Technology - Contractual Services	Contractual - IT vendor contract	37,648	101-228-818-0000
Information Technology - Computer Services	DUO Fobs annual contract	9,216	101-228-818-3000
General Administration - Retiree Hospitalization	Medicare Advantage increased projection	109,151	101-248-710-3002
Elections - Part Time and Seasonal	Elections - More Responsive Government Grant	16,000	101-262-707-0000
Elections - Forms and Printing	Elections - More Responsive Government Grant	2,000	101-262-729-0000
Police - Police and Fire Retirement	Pension Contribution to Match Millage	(324,786)	101-301-710-0009
Police - Vehicles	Reduce to Anticipated Purchase Cost	(96,094)	101-301-985-0000
Fire - Wages	Eliminate EMT positions	(252,646)	101-336-706-0000
Fire - Police and Fire Retirement	Pension Contribution to Match Millage	(255,919)	101-336-710-0009
Fire - Vehicles	FY 23-24 Carryforward Quint phase-funding	750,000	101-336-985-0000
Fire - Improvements	Delay Phase-Funding Roof Replacement	(200,000)	101-336-987-0000
Streets - Detroit Edison	Streetlight cost increase	11,000	101-446-920-0000
Streets - Improvements	Landscaping Work 14 Mile & John R, Donation	33,262	101-446-987-0000
Solid Waste - Vehicles	FY 23-24 Carryforward Street Sweeper phase-funding	297,000	101-528-985-0000
Parks - Improvements	FY 23-24 Carryforward Bandshell Project	202,810	101-752-987-0000
Parks - Improvements	Civic Center Basketball Court and Oakland County Grant	36,207	101-752-987-0000
		<b>Total General Fund Expenditures</b>	<b>\$ 374,849</b>

<b>DDA Fund Revenues (248)</b>	<b>Explanation</b>	<b>Amount</b>	<b>Account Number</b>
DDA - Use of Fund Balance	Use of Fund Balance	\$ 470,972	248-053-692-6970
		<b>Total DDA Fund Revenues</b>	<b>\$ 470,972</b>

<b>DDA Fund Expenditures (248)</b>	<b>Explanation</b>	<b>Amount</b>	<b>Account Number</b>
DDA - Contractual Services	11 Mile Streetscape Project	\$ 470,972	248-863-818-0000
		<b>Total DDA Fund Expenditures</b>	<b>\$ 470,972</b>

**Total Exhibit A Budget Amendments** **\$ 845,821**





## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 02/10/25

**PREPARED BY:** Matt Lonnerstater, AICP

**AGENDA ITEM CONTENT:** Rezoning PRZN 24-02 (Ordinance 2202): 1357 W. 14 Mile Road- R-2 to B-2- First Reading

**AGENDA ITEM SECTION:** Ordinances

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:**

The applicant, Jim Tottingham, on behalf of the property owner, Debasish Mridha, requests to rezone one (1) parcel of land located at 1357 W. 14 Mile Road (TM# 44-25-02-101-056) from R-2, One-Family Residential district, to B-2, Community Business district. The subject parcel is approximately 2.3 acres in size and is improved with a 14,200 square foot building, previously occupied by a church, and an associated parking lot and accessory structure. The property is located on the south side of W. 14 Mile Road between Campbell Road and Stephenson Highway. The Planning Commission recommended approval of the rezoning at their January 21st, 2025 meeting.

Note: The applicant originally applied to rezone the property to B-3, Regional Business district, and the public notice reflects the original application. However, upon further discussion with staff, the applicant has requested an alternative rezoning to the B-2, Community Business district in lieu of the B-3 district.

**RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance # 2202 (PRZN 24-02) upon first reading and schedule the second and final reading for the February 24th, 2025 City Council Meeting.



# MEMORANDUM

Date: January 31<sup>st</sup>, 2025  
 To: City of Madison Heights City Council  
 Meeting Date: February 10<sup>th</sup>, 2025  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Rezoning Request PRZN 24-02 (Ord. 2202) – 1357 W. 14 Mile Road – R-2 to B-2.

## Introduction

The applicant, Jim Tottingham, on behalf of the property owner, Debasish Mridha, requests to rezone one (1) parcel of land located at 1357 W. 14 Mile Road (TM# 44-25-02-101-056) from R-2, One-Family Residential district, to B-2, Community Business district. The subject parcel is approximately 2.3 acres in size and is improved with a 14,200 square foot building, previously occupied by a church, and an associated parking lot and accessory structure. The property is located on the south side of W. 14 Mile Road between Campbell Road and Stephenson Highway.

Note: The applicant originally applied to rezone the property to B-3, Regional Business district, and the public notice reflects the original application. However, upon further discussion with staff, the applicant has requested an alternative rezoning to the B-2, Community Business district in lieu of the B-3 district.

## Planning Commission Action and Findings

At their January 21<sup>st</sup>, 2025 meeting, the Planning Commission approved the following motion pertaining to the proposed rezoning:

*Motion by Vice Chairperson Graettinger, seconded by Commissioner Oglesby, to recommend that City Council approve rezoning PRZN 24-02 of 1357 W. 14 Mile Road (parcel # 44-25-02-101-056) from R-2, One-Family Residential, to B-2, Community Business district, as supported by staff and as requested by the applicant in lieu of the original rezoning request to the B-3, Regional Business district. This recommendation of approval is made after the required public hearing, based upon the following findings:*

*(1) A rezoning to B-2 satisfies the map amendment review standards contained in Section 15.07 of the Zoning Ordinance. In particular, the Planning Commission finds that, in lieu of the originally-requested B-3 district, a rezoning to B-2 more satisfactorily addresses the following standards:*

- *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- *Compatibility of all the potential uses allowed in the proposed B-2 district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

- *Consistency with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan).*
- *The boundaries of the B-2 district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- *The requested B-2 district is considered to be more appropriate from the city's perspective than the existing R-2 district and the B-3 district.*
- *Rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
- *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
- *The amendment will not be expected to result in exclusionary zoning.*

*Ayes: Kalnasy, Bliss, Oglesby, Grafstein, Graettinger, Champagne*

*Nays:*

*Absent: Marsh, Sylvester*

*Motion carries*

### **Background**

The applicant requests a rezoning to B-2, Community Business district, to allow the existing building to be converted into a child day care center. Per the newly adopted Madison Heights Zoning Ordinance, child day care centers are permitted by-right within the requested B-2 zoning district. Although child day care centers could be permitted through the Special Land Use process under the current R-2 zoning district, a rezoning to B-2 would enable an administrative review and approval process for the proposed use and permit a range of commercial uses on the property if the child day care center were to cease operations.

If the rezoning to B-2 is approved, the applicant will need to submit a site plan to the Community and Economic Development Department for the proposed child day care center for administrative review and approval. Additional Planning Commission and City Council review would not be needed for the proposed use.

### **Street View of Property (Looking West)**



**Subject Parcel – Aerial View****Map Amendment (Rezoning) Review Standards**

Section 15.07 of the new Zoning Ordinance contains standards that the Planning Commission and City Council shall consider when reviewing and acting upon a rezoning request:

- (1) *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- (2) *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
- (3) *Consistency with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*
- (4) *The boundaries of the requested zoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*



- (5) *The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.*
- (6) *If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- (7) *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
- (8) *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
- (9) *That the amendment will not be expected to result in exclusionary zoning.*

These standards are touched upon throughout this memo.

### Zoning and Land Use Considerations

Per the Zoning Ordinance, the intent of the existing R-2, One-Family Residential district is to, *“provide for one-family dwelling sites and residentially-related uses in keeping with the Master Plan of residential development in the City of Madison Heights.”*

The intent of the requested B-2, Community Business district is to, *“cater the needs of a larger consumer population than is served by the Neighborhood Business District and may be characterized by an integrated cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic. The B-2 district is intended along, and at the intersections of, major arterial streets.”*

The intent of the originally-requested B-3, Regional Business district is, *“to provide sites for large-scale commercial establishments that provide goods and services to local residents as well as residents of other surrounding communities. The B-3 District is generally grouped around major interstate highway interchanges, generating a considerable volume of vehicular traffic.”*

While the applicant intends to repurpose the existing building into a child day care center, the Planning Commission should consider all of the potential uses that could be developed on this site if it were to be rezoned to B-2. City Council should also consider the list of R-2 residential uses currently allowed on-site which would no longer be permitted in an B-2 district, as well as the uses permitted in the B-3 district requested in the original application. Some of these more intense uses and significant use departures are highlighted in the table below:

USE	R-2	B-2	B-3
CURRENT USE: Church (Religious Institution)	S	P	P
PROPOSED USE: Child Day Care Center	S	P	P
<b>Residential Uses</b>			
One-Family Dwelling	P		
Residential/Commercial Mixed-Use		P	P
<b>Commercial Uses</b>			
Auto Repair and Service		S	P
Auto Sales		S	S
Auto Wash			S
Banquet Halls		P	P
Commercial Kennels and Boarding Facilities		S	S

P = Permitted by Right    S = Special Approval Required    Blank = Not Permitted

USE	R-2	B-2	B-3
Drive-Through Facilities		P	P
General Retail		P	P
Hotels and Lodging		S	P
Indoor Recreation Business		P	P
Personal Service Establishments		P	P
Restaurants/Bars		P	P
Self-Storage Facility			S
Veterinary Clinic or Animal Grooming		P	P
<b>Industrial Uses</b>			
Contractor's Office		P	P
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution		P	P

*P = Permitted by Right      S = Special Approval Required      Blank = Not Permitted*

The full Permitted Use Table is attached to this memorandum.

A rezoning to the B-2 district would permit a child day care center by right, similar to the B-3 district. However, the B-3 district permits a wider range of auto-oriented uses than the B-2 district. For example, auto washes are permitted in the B-3 district as a Special Land Use, but prohibited in the B-2 district. Additionally, auto repair and service uses are permitted by-right in the B-3 district but require Special Land Use approval in B-2.

#### Existing Land Use and Zoning

Existing adjacent land uses and zoning designations are denoted in the table below:

#### ***Existing Land Uses and Zoning***

	Existing Land Use	Existing Zoning
<b>Site</b>	Vacant (church)	R-2, One Family Residential
<b>North (across 14 Mile)</b>	Office	O-1, Office (City of Troy)
<b>South</b>	Hotel	B-3, Regional Business
<b>East</b>	Drive-Through Restaurant	B-3, Regional Business
<b>West</b>	Strip Retail	B-1, Neighborhood Business

Adjacent land uses on 14 Mile Road consist primarily of general retail and auto-oriented retail. The subject parcel is sandwiched between the Campbell Corners strip mall, a hotel, and a stretch of auto-oriented uses including drive-through restaurants, a car wash, and a gas station. The land uses along the north side of 14 Mile Road (in Troy) consist of office and single-family residential.

#### Future Land Use and Master Plan

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

**Future Land Use**

	Future Land Use
<b>Site</b>	Commercial
<b>North (across 14 Mile)</b>	21 <sup>st</sup> Century Industrial (City of Troy)
<b>South</b>	Commercial
<b>East</b>	Commercial
<b>West</b>	Commercial

The future land use designation of the subject site is *Commercial*. Per the Master Plan, the Commercial designation is a general designation that covers a broad range of goods and services. The Master Plan does not necessarily break down the commercial future land use category into more detailed sub-categories based on anticipated commercial intensity.

The stretch of 14 Mile Road from Campbell to John R is fully designated as Commercial in the Master Plan. The City of Troy designates the north side of 14 Mile Road as “21<sup>st</sup> Century Industrial” and Single-Family Residential.

Pertinent Goals & Objectives from the Master Plan include:

**Community Character:**

- Enhance the city’s commercial corridors to support walkability and improve community identity.
- Promote the city’s positive identity in the region.
- Protect established neighborhoods and business districts from the potentially negative impacts of development, including noise, traffic, waste, odor, and other nuisances through effective and thoughtful site and building design.

**Commercial & Industrial Development:**

- Encourage entrepreneurship and growth for diverse businesses of all sizes to promote a balanced local economy.
- Provide incentives and flexible zoning mechanisms for commercial and industrial property owners and tenants to upgrade existing commercial and industrial sites.
- Promote the mix of commercial, office, and industrial uses in a way that fosters collaboration and business growth, while creating a desirable environment for the local workforce.

Transportation

Per the 2021 Master Plan, this stretch of 14 Mile Road is designated as a principal arterial road which typically handles long-distance through-traffic for important traffic generators. Per SEMCOG, this stretch of 14 Mile Road accommodates approximately 23,000 vehicles per day, a fairly significant number of trips likely resulting due to proximity to the I-75 interchange.

**Staff Discussion and Policy Analysis**

The subject property is located mid-block along a busy section of 14 Mile Road. Traveling along 14 Mile Road from the west (Clawson/Royal Oak), the land uses transition from single-family residential to auto-oriented commercial near the I-75 interchange. The Campbell Corners strip mall to the west of the subject site is zoned B-1, Neighborhood Business, while properties to the south and east are zoned B-3, Regional Business.

Staff believes that the existing single-family zoning district is not appropriate for this site; a commercial designation would be better suited due to adjacent land uses and the intensity of vehicular traffic along 14 Mile Road. While the applicant had originally applied to rezone the property to B-3, staff believes that an alternative rezoning to the B-2, Community Business district may be more appropriate for the site. The B-2 district can serve as transition between the B-3 and B-1 districts along 14 Mile Road, allowing for a more natural transition to the residential uses to the west. The B-2 district allows child day care centers and a general mix of retail and professional service uses by-right, but does not permit, or at minimum restricts, the more intense auto-oriented uses permitted within the B-3 district, such as auto washes and auto repair. The applicant has provided a written email confirming their support of an alternate rezoning to the B-2 zoning district in lieu of B-3.

If the rezoning request is approved, any major redevelopment on the subject parcel would be subject to site plan approval through the administrative Technical Review Committee (TRC) and, if applicable, Special Land Use approval through the Planning Commission and City Council.

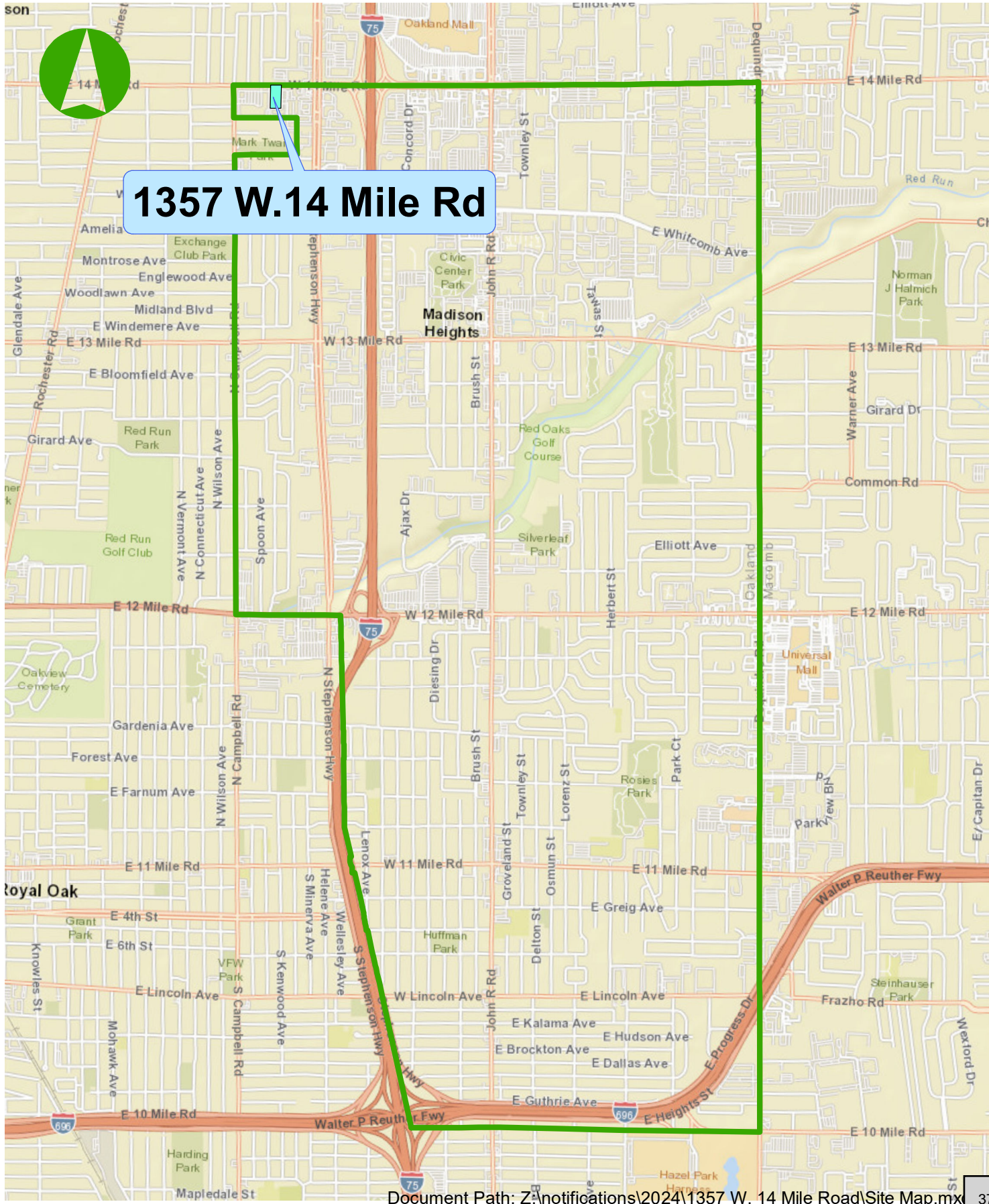
### Next Step

**Based on the recommendation of approval from the Planning Commission and their pertinent findings, staff recommends that City Council adopt Ordinance #2202 (PRZN 24-02) upon first reading and schedule the second and final reading for the February 24<sup>th</sup>, 2025 City Council Meeting. An additional public hearing is not required.**

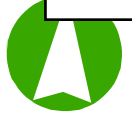
### Attachments

- *Draft Planning Commission Minutes – January 21<sup>st</sup>, 2025 Meeting*
- *Rezoning Application PRZN 24-02*
- *Compiled Maps*
- *Public Hearing Notice*
- *Section 15.07 – Zoning Ordinance Amendments (Map and Text)*
- *Section 3.06 – Permitted Use Table*
- *Section 3.08 – R-2 One-Family Residential District*
- *Section 3.15 – B-2 Community Business District*
- *Section 3.16 – B-3 Regional Business District*





# Site Address: 1357 W. 14 Mile Road



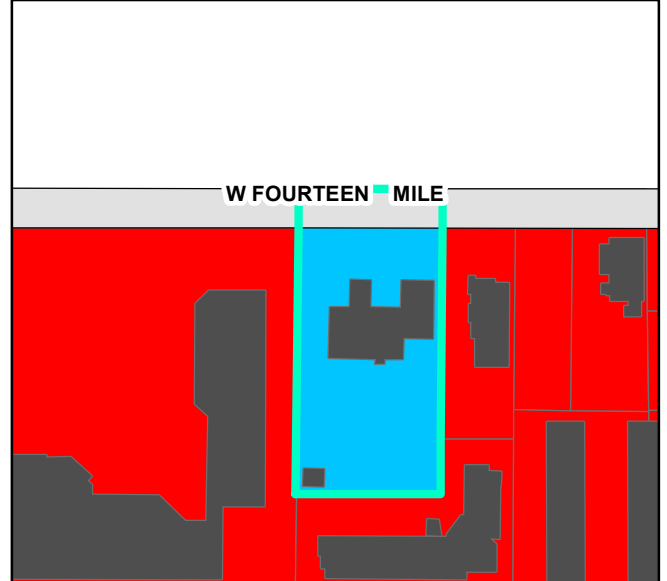
[Click for maps](#)


Aerial



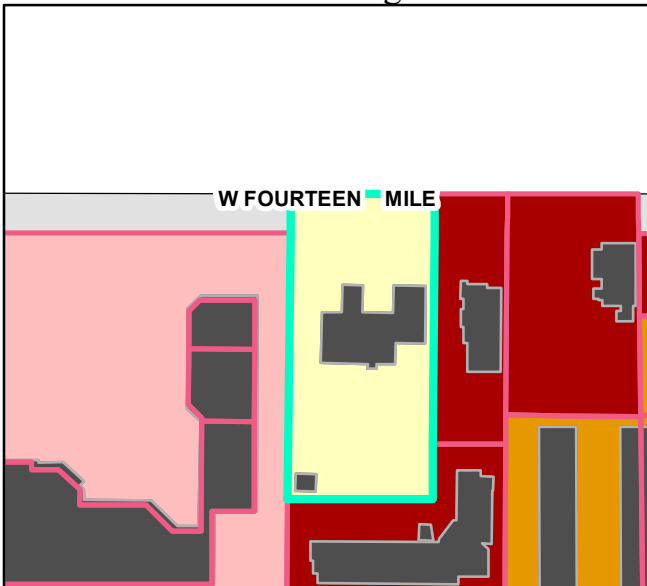
 1357 W.14 Mile Rd  Parcels


Existing Land Use



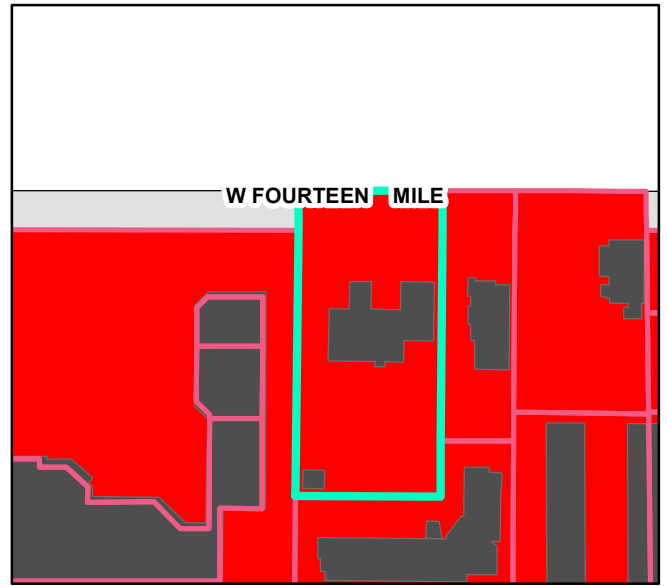
 1357 W.14 Mile Rd  Commercial  
 Buildings  Quasi -Public





Zoning



 1357 W.14 Mile Rd  Buildings  
 H-R High Rise  B-1 Local Business  
 R-2 Residential  B-3 General Business

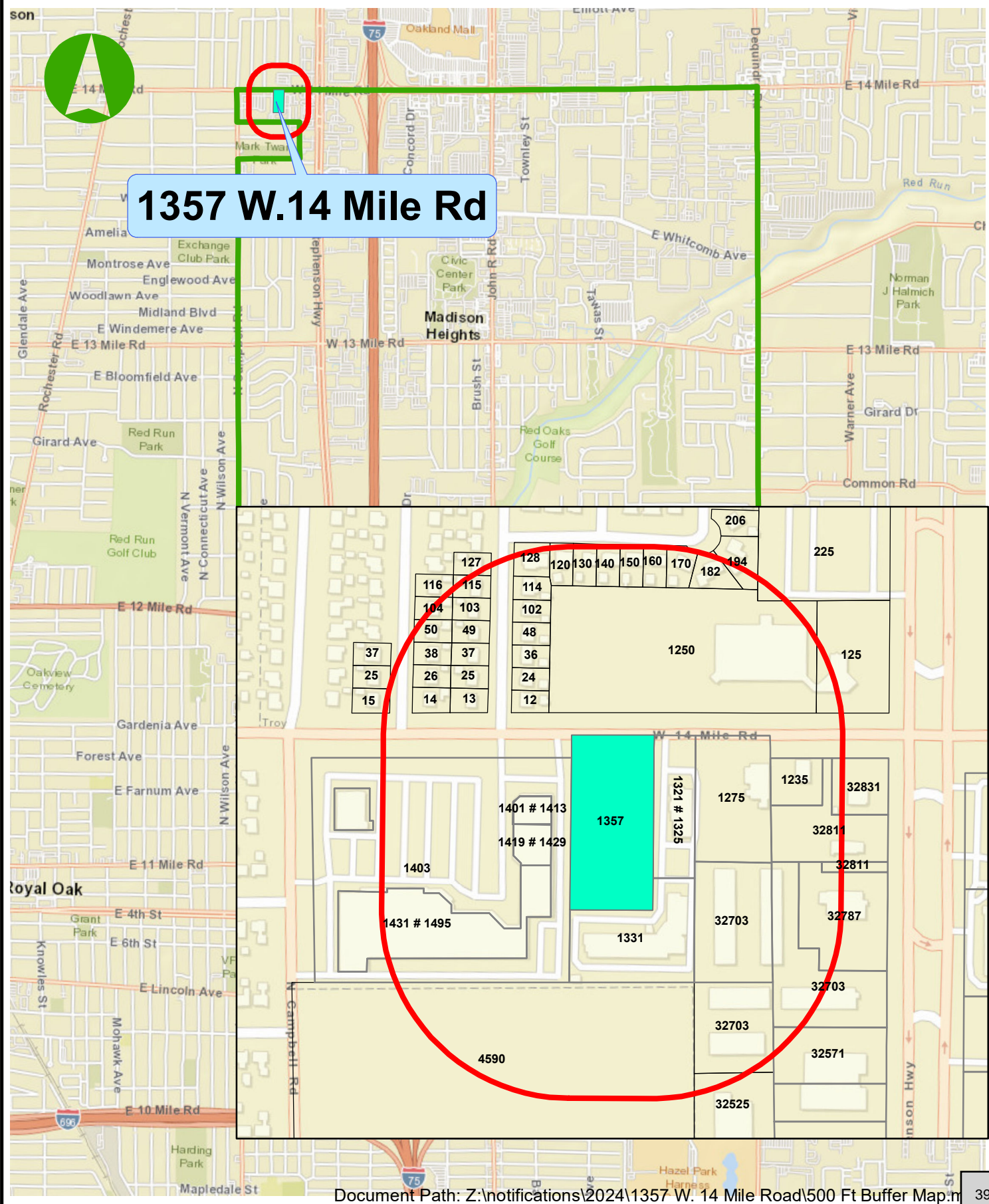
Future Land Use



 1357 W.14 Mile Rd  Industrial  
 Parcels  Commercial



PRZN CASE: 24- 02  
BUFFER: 500 FT



**ORDINANCE NO. 2202**

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING THE ZONING MAP CONTAINED WITHIN APPENDIX A.

THE CITY OF MADISON HEIGHTS ORDAINS:

**SECTION 1.** That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 2, PART OF NW 1/4 BEG AT PT DIST S 87-55-00 E 752.80 FT FROM NW SEC COR, TH S 87-55-00 E 218.80 FT, TH S 02-38-00 W 463.00 FT, TH N 87-55-00 W 218.80 FT, TH N 02-38-00 E 463.00 FT TO BEG. 2.33 A

*PIN 44-25-02-101-056. 1357 W. 14 MILE ROAD*

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, to B-2, COMMUNITY BUSINESS

**SECTION 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**SECTION 3.** This ordinance shall take effect ten (10) days after its adoption and upon publication.

---

Roslyn Grafstein  
Mayor

---

Cheryl E. Rottmann  
City Clerk

**CERTIFICATION:**

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on \_\_\_\_\_, 2025.

---

Cheryl E. Rottmann  
City Clerk

FIRST READING: February 10<sup>th</sup>, 2025

SECOND READING:

ADOPTED:

PUBLISHED:

EFFECTIVE:





CITY OF MADISON HEIGHTS  
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT  
**ZONING MAP AMENDMENT (REZONING) APPLICATION**

**I. APPLICANT INFORMATION**

Applicant Jim Tottingham  
Applicant Address 7 W square LK Rd  
City Bloomfield Hills State MI ZIP 48302  
Interest in Property (owner, tenant, option, etc.) Asset Manager  
Contact Person Jim Tottingham  
Telephone Number 2487220599 Email Address jt@soarvei.com  
call on Text

**II. PROPERTY INFORMATION**

Property Address(es) ~~700~~ 1357 W. 17 Mile Rd  
Tax ID(s) 44-25-02-101-056 Zoning District \_\_\_\_\_  
[PROVIDE SURVEYS AND LEGAL DESCRIPTIONS OF ALL PROPERTIES ON SEPARATE SHEETS]  
Owner Name (if different than applicant) Mridha Interfaith Center  
Debesish Mridha  
Address 4705 Towne Centre Rd #201  
City Saginaw State MI Zip 48604  
Telephone Number 989 799 2770 Email Address mridead.com

**III. CONSULTANT INFORMATION (IF APPLICABLE)**

Name \_\_\_\_\_ Company \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_



## REZONING APPLICATION

## IV. NATURE OF REQUEST

☒ Standard Rezoning      ☐ Rezoning with Conditions

Current Zoning Designation Res      Proposed Zoning Designation Gen Business

## V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief description explaining need for proposed map amendment:

Proposed Daycare

Required Attachments:

- ☒ **Plot Plan/Survey** specifying the boundaries of the site, with legal descriptions of all properties subject to the request.
- ☐ **Review Standards Response Form** (Standard Rezoning or Rezoning with Conditions Form)
- ☐ **For Rezoning with Conditions Only:** Rezoning with Conditions Agreement and, if proposed, Rezoning with Conditions Site Plan

## VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Map Amendment 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).

Printed Name Jim Tottingham Signature [Signature] Date 12/6/24

## VII. PROPERTY OWNER CERTIFICATION

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 D. Mridha Signature [Signature] Date 12.6.2024  
Debasish Mridha

Notary for Property Owner:

Subscribed and sworn before me, this 6 day of DECEMBER, 2024

A Notary Public in and for SAGINAW County, Michigan.

Notary Name (Print): KATHRYN A. CHAUVETTE

Notary Signature: [Signature]

My Commission Expires: 1-11-2030

Notary Stamp

KATHRYN A. CHAUVETTE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF SAGINAW  
MY COMMISSION EXPIRES Jan 11, 2030  
ACTING IN COUNTY OF SAGINAW

## STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE (\$1,500): \_\_\_\_\_

REZONING NO.: PRZN # \_\_\_\_\_

DATE APPLICATION RECEIVED: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_



## REZONING APPLICATION

**STANDARD REZONING: RESPONSE FORM**

**Section 15.07.3.B** of the Zoning Ordinance contains review standards/ criteria for standard map amendments. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional sheets, if necessary).

- A. Describe how the site's physical, geological, hydrological and other environmental features are compatible with the uses permitted in the proposed zoning district.

Property is currently Master Planned for Gen. Business and is within the Guidelines of Madison Heights City Planning

- B. Describe how the uses permitted in the proposed zoning district are compatible with surrounding uses and zoning districts in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

- C. Describe how the proposed zoning district is compatible with the goals, policies and objectives of the Madison Heights Master Plan (including the Future Land Use Plan) and any sub-area or corridor plans. If conditions have changed since such plans were adopted, describe how the proposed rezoning is consistent with recent development trends.

- D. Describe how the boundaries of the requested zoning district will be reasonable in relationship to surrounding districts and explain how construction on the site will be able to meet the dimensional regulations of the proposed district.

## REZONING APPLICATION

- E. Describe how the requested zoning district is considered to be more appropriate for the site than the existing zoning district.

Property is Master Planned for  
Gen. Business and is within the  
Guidelines of Madison Heights City Planning.

- F. If a rezoning is requested to allow for a specific use, explain why rezoning the land is considered to be a more appropriate mechanism than amending the list of permitted or special land uses in the current zoning district to allow the use.

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- G. Describe how the requested rezoning will not create an isolated or incompatible zone in the neighborhood. Explain how the map amendment will not result in exclusionary zoning.

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- H. Explain how the capacity of the street system will be able to safely and efficiently accommodate the expected traffic generated by the uses permitted in the requested zoning district.

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# 1357 W 14 Mile Road

Item 7.



Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.

**OAKLAND**  
COUNTY  
Economic Development & Community Affairs

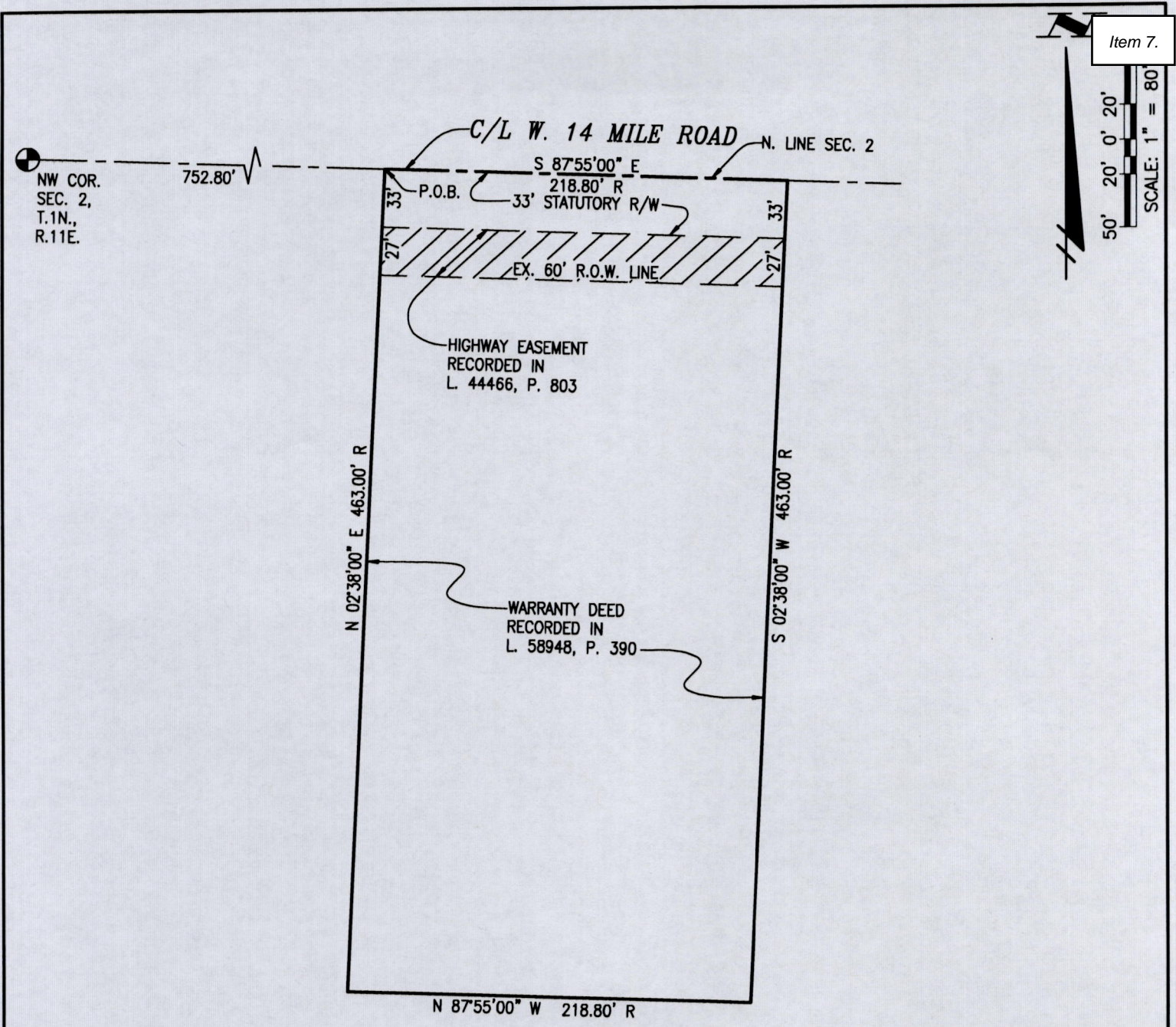
**David Coulter**  
Oakland County Executive

Date Created: 12/9/2024

**NORTH**  
1 inch = 100 feet

45






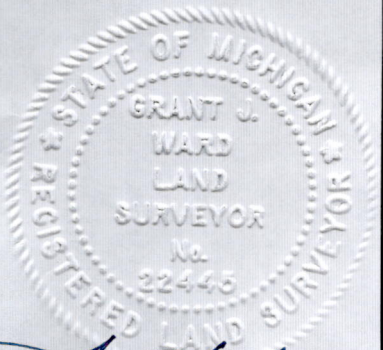
LAND DESCRIPTION:

PART OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 1 NORTH, RANGE 11 EAST, BEGINNING AT A POINT DISTANT SOUTH 87 DEGREES 55 MINUTES 00 SECONDS EAST 752.80 FEET FROM NORTHWEST SECTION CORNER; THENCE SOUTH 87 DEGREES 55 MINUTES 00 SECONDS EAST 218.80 FEET; THENCE SOUTH 02 DEGREES 38 MINUTES 00 SECONDS WEST 463.00 FEET; THENCE NORTH 87 DEGREES 55 MINUTES 00 SECONDS WEST 218.80 FEET; THENCE NORTH 02 DEGREES 38 MINUTES 00 SECONDS EAST 463.00 FEET TO BEGINNING.

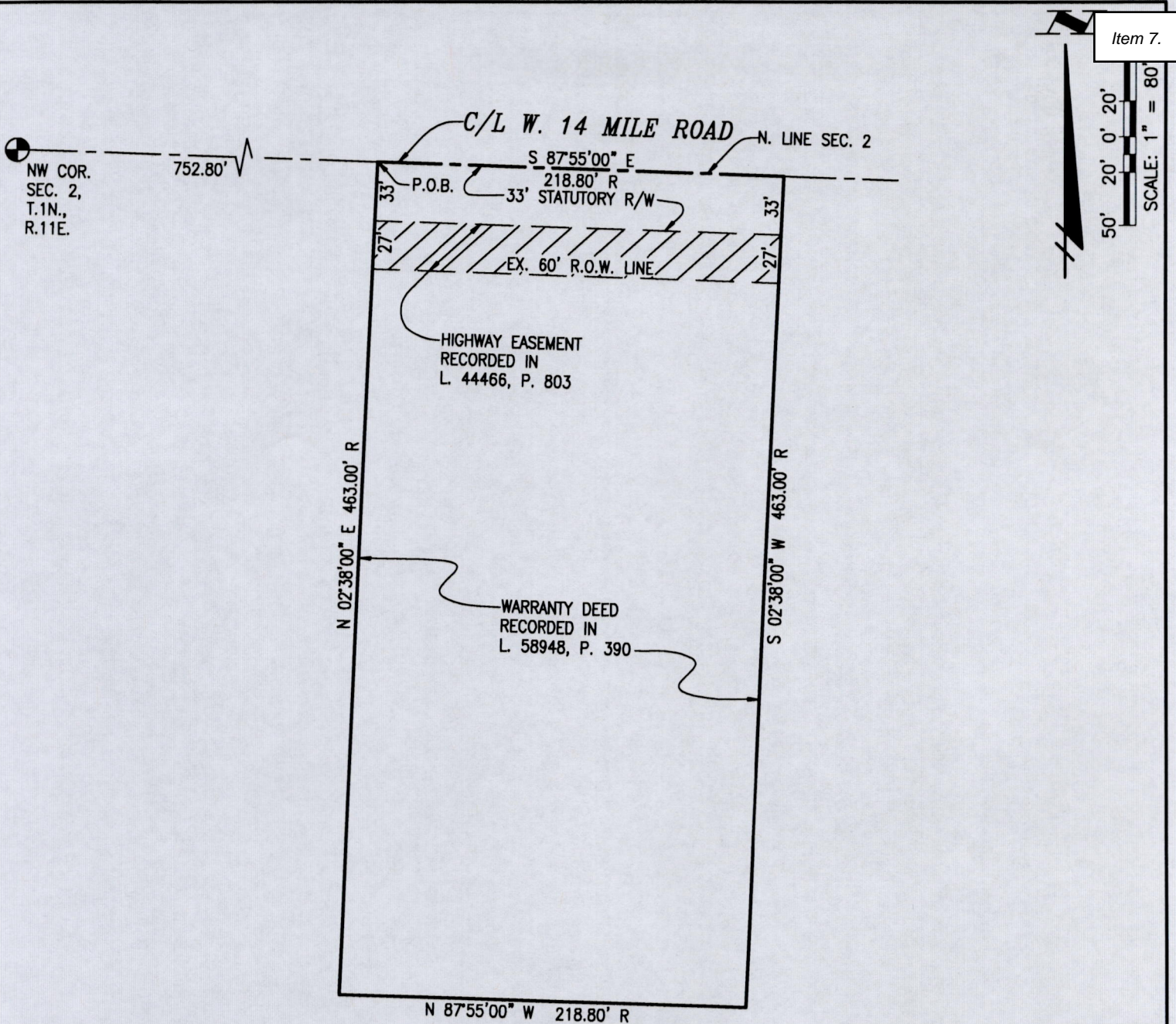
SKETCH OF DESCRIPTIONS OF PARCEL NUMBER 25-02-101-056.

BEARINGS FOR THIS SURVEY ARE BASED ON THE WARRANTY DEED.

This survey is valuable and should be filed with the deed and abstract for this property.

 <p><b>GRANT WARD SURVEYORS</b></p>	<p>REGISTERED LAND SURVEYORS 655 Broadway P.O. Box 440 Davisburg, Michigan 48350 Phone: (248) 634-0700 Email: GWS@TIR.COM</p>	<p>LEGEND: C - Calculated M - Measured R - Recorded S - Set FIP - Found Iron Pipe ● FIR - Found Iron Rod ◇ FM - Found Monument FPP - Found Pinch Pipe ○ SIRC - Set Iron Rod and Cap No. 22445</p>	
<p><b>SURVEYORS CERTIFICATE:</b> I, Grant J. Ward, Registered Land Surveyor, hereby certify to <u>MARK LYON, ATTY. ~ MRIDHA INTERFAITH CENTER</u>; that on <u>DECEMBER 4, 2024</u> I, surveyed and mapped the land herein described.</p>		<p>Date: <u>DECEMBER 7, 2024</u> Rev.: _____ Job No.: <u>24-1202</u> Desc. File: <u>241202</u> Dwg. File: <u>241202.dwg</u> Data File: <u>241202P</u> Field Book: <u>*</u> Sheet: <u>1</u> of <u>1</u></p>	
<p><b>Surveying MICHIGAN With Pride</b></p>		<p>Grant J. Ward, R.L.S. License No. 22445</p>	






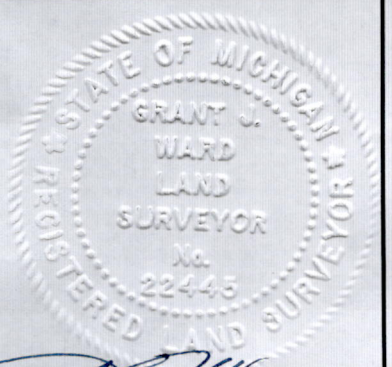
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<p><b>SURVEYORS CERTIFICATE:</b></p> <p>I, Grant J. Ward, Registered Land Surveyor, hereby certify to <u>MARK LYON, ATTY. ~ MRIDHA INTERFAITH CENTER</u>; that on <u>DECEMBER 4, 2024</u> I, surveyed and mapped the land herein described.</p>			
<p><b>Surveying MICHIGAN With Pride</b></p>			<p>47</p>





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**RE: 1357 W. 14 Mile Road - Alternative Rezoning Request to B-2**

---

**From** jt@soarrealstateinvestments.com <jt@soarrealstateinvestments.com>

**Date** Mon 12/23/2024 9:36 AM

**To** Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>; jt@soarrei.com <jt@soarrei.com>

**Cc** mlyon57@att.net <mlyon57@att.net>; mridha@aol.com <mridha@aol.com>; 'Chinu Mridha' <cdmridha@gmail.com>

 1 attachment (171 KB)

B-2 - Community Business.pdf;

Good morning, Matt, we agree with the city of Madison Heights that B-2, Community Business, zoning district would be more appropriate for our parcel and its intended uses than our original Master Plane B-3 district rezoning request.

Thank you

**Jimmy Tottingham**

*Principal Associate Broker*

7 W. Square Lake Road | Bloomfield Hills, MI. 48302

Direct 248-722-0599 | Fax 248-256-1615

email: [jt@soarrei.com](mailto:jt@soarrei.com)

License MI: 6502398624



**SOAR REAL ESTATE INVESTMENTS LLC**

**COMMERCIAL REAL ESTATE INVESTMENT SALES**

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**From:** Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

**Sent:** Monday, December 23, 2024 9:16 AM

**To:** jt@soarrei.com

**Subject:** Fw: 1357 W. 14 Mile Road - Alternative Rezoning Request to B-2

Good morning, Jim:

Item 7.

Just following up on my email from last week.

Thank you,



Matt Lonnerstater, AICP  
City Planner  
City of Madison Heights  
[MattLonnerstater@Madison-Heights.org](mailto:MattLonnerstater@Madison-Heights.org)  
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

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**From:** Matt Lonnerstater <[MattLonnerstater@Madison-Heights.org](mailto:MattLonnerstater@Madison-Heights.org)>  
**Sent:** Thursday, December 19, 2024 10:03 AM  
**To:** [jt@soarrei.com](mailto:jt@soarrei.com) <[jt@soarrei.com](mailto:jt@soarrei.com)>  
**Cc:** Giles Tucker <[GilesTucker@Madison-Heights.org](mailto:GilesTucker@Madison-Heights.org)>  
**Subject:** 1357 W. 14 Mile Road - Alternative Rezoning Request to B-2

Good morning, Jim:

Thanks for taking my call this morning. Staff believes that the B-2, Community Business, zoning district would be more appropriate for the parcel than the requested B-3 district, and will face less scrutiny from the Planning Commission and City Council.

I am attaching the zoning regulations, including the list of permitted uses, for the B-2 zoning district. Child Day Care Centers are permitted by right.

Can you please respond to this email confirming that a potential rezoning to B-2 in lieu of B-3 would be acceptable to you and your future buyer/tenant?

Thank you,



Matt Lonnerstater, AICP  
City Planner  
City of Madison Heights  
[MattLonnerstater@Madison-Heights.org](mailto:MattLonnerstater@Madison-Heights.org)  
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

## Section 3.06 Permitted Use Table

Uses not listed in a particular Zoning District but permitted elsewhere in the Zoning Ordinance shall be considered prohibited in that Zoning District. However, the Planning and Zoning Administrator or their designee may determine that a use which is not specifically mentioned in this Ordinance is comparable to a permitted or prohibited use in any district, either by right or as a Special Land Use. The Planning and Zoning Administrator may refer a use interpretation to the Zoning Board of Appeals.

The City Center Zoning District is regulated in [City Center District, Section 6.02](#)

### Key:

**P** = Principal Uses Permitted By-Right

**S** = Uses Permitted on Special Land Use Approval

**A** = Permitted as an Accessory Use

**P/S** = May be Permitted By-Right or as a Special Land Use. Refer to use-specific standards

**A+S** = Permitted as an Accessory Use upon Special Land Use Approval

**[blank]** = Not Permitted

\* = Refer to City Center, [Section 6.02](#), for additional use matrix based on building type.

† = Only permitted in Primary Caregiver Marihuana Grow Overlay District, [Section 5.01](#)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
<b>Residential Uses</b>																	
Accessory Dwelling Unit	A	A	A	A	A												<a href="#">7.03(1)</a>
Detached One-Family Dwelling	P	P	P	P	P											S	<a href="#">7.03(10)</a>
Townhomes, Attached One-Family Dwellings				P	P						P	P					<a href="#">7.03(45)</a>
Duplexes				P	P												<a href="#">7.03(12)</a>
Multiplexes				P	P												<a href="#">7.03(29)</a>
Multi-Family Dwellings					P					P*		P					<a href="#">7.03(30)</a>
Residential/Commercial Mixed-Use							P	P	P	P*	P	P					<a href="#">7.02(2)</a>
Live/Work				S	S		P				P	P					<a href="#">7.03(23)</a>
Manufactured Homes															P		<a href="#">3.12</a>
Senior Housing, Assisted					S	S						S					<a href="#">7.03(41)</a>
Senior Housing, Independent					P					P*		P					<a href="#">7.03(42)</a>
Child Family Day Care Homes	P	P	P	P	P						P	P				P	<a href="#">7.03(7)</a>
Child Group Day Care Homes	S	S	S	S	S						S	S				S	<a href="#">7.03(7)</a>
Foster Care Family Homes	P	P	P	P	P						P	P				P	<a href="#">7.03(14)</a>
Foster Care Group Homes	S	S	S	S	S						S	S				S	<a href="#">7.03(14)</a>
<b>Commercial Uses</b>																	
Artist Studio						P	P	P	P	P*	P	P	P	P			
Auto Repair and Service (Minor)								S	P		S		S	S			<a href="#">7.03(2)</a>
Auto Repair and Service (Major)								S	S		S		S	S			<a href="#">7.03(2)</a>
Auto Sales (New and Used) and Rental								S	S		S	S	P/S	P/S			<a href="#">7.03(3)</a>
Auto Wash									S								<a href="#">7.03(4)</a>
Banquet/Assembly/Meeting Halls (less than 75 persons)						S	S	P	P	P/S*	P	P	P	P			<a href="#">7.03(5)</a>
Banquet/Assembly/Meeting Halls (greater than 75 persons)								P	P	P/S*	S	P					<a href="#">7.03(5)</a>
Bars and Taprooms							S	P	P	P/S*	P	P	P	P			
Business or Trade Schools						P	S	P	P	P*	S	P	P	P			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Child/Adult Day Care Center and Preschools	S	S	S	S	S	P	P	P	P	P*	S	P					<a href="#">7.03(6)</a>
Commercial Kennels and Boarding Facilities								S	S			S	S	S			<a href="#">7.03(8)</a>
Drive-Through Facilities						A+S	A+S	A	A		A+S	A					<a href="#">7.03(11)</a>
Financial Institutions						P	P	P	P	P*	P	P	P	P			
Firearm Retail Sales								P	P				A	A			<a href="#">7.03(13)</a>
Funeral Homes						S		S	S			S					<a href="#">7.03(15)</a>
Gasoline/Recharging Stations								S	S								<a href="#">7.03(16)</a>
General Retail, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P*	P	P					
General Retail, Large Format (>30,000 sq. ft.)								P	P		S	S					
Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P/S*	P	P	S	S			<a href="#">7.03(17)</a>
Home Improvement Centers and Garden Centers, Large Format (>30,000 sq. ft.)								P	P		S	S	S	S			<a href="#">7.03(17)</a>
Hotels and Lodging Facilities								S	P	P/S*	S	P					<a href="#">7.03(20)</a>
Incubator Kitchen or Catering Facility						S	P	P	P	P*	P	P	P	P			
Indoor Recreational Business							P/S	P	P	P/S*	P/S	P/S	P	P			<a href="#">7.03(21)</a>
Indoor Shooting Range									S				S	S			<a href="#">7.03(22)</a>
Medical Office						P	P	P	P	P*	P	P					
Microbreweries, Wineries and Distilleries							S	P	P	P*	P	P	P	P			
Mobile Food Court (Principal Use)										S*	S	S					<a href="#">7.03(27)</a>
Mobile Food Site (Accessory Use)										A*	A	A					<a href="#">7.03(28)</a>
Outdoor Dining and Seating						A	A	A	A	A*	A	A	A	A			<a href="#">7.03(31)</a>
Outdoor Recreational Business								S	S			S					<a href="#">7.03(32)</a>
Outdoor Sales and Display						A+S	A+S	A	A	A*	A	A	A	A			<a href="#">7.03(33)</a>



Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Personal Service Establishments						P	P	P	P	P*	P	P					
Pharmacy						P	P	P	P	P*	P	P					
Professional Office						P	P	P	P	P*	P	P	P	P			
Restaurant						P	P	P	P	P*	P	P	P	P			
Self-Storage Facility									S				S	S			<u>7.03(40)</u>
Tutoring and Instructional Services						P	P	P	P	P*	P	P					
Tobacco/Smoke Shop or Smoke Lounge								P	P	S*	S	P					<u>7.03(44)</u>
Theater							S	P	P	P*	P	P					
Veterinary Clinic or Animal Grooming						S	S	P	P	P*	P	P					<u>7.03(46)</u>
<b>Industrial Uses</b>																	
Artisan Manufacturing/Makerspace										P*	P	P	P	P			
Contractor's Office						P	P	P	P	P*	P	P	P	P			<u>7.03(9)</u>
Light Industrial, Assembly, Repair and Manufacturing											P		P	P			
Heavy Industrial, Assembly, Repair and Manufacturing														P			
Lumber Yard													S	S			<u>7.03(17)</u>
Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, Recreational Vehicles, or other Operable Vehicles or Equipment.													S	S			
Research, Development and Testing Facilities										S*	P		P	P			
General Warehouse and Distribution											P		P	P			
Wholesale Sales/Retail									P		S	S	S	S			
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution								P	P	S*	S	P	P	P			
Incubator Workspaces								P	P	P*	P	P	P	P			
Yard Waste Transfer and Composting Facilities														S			
Junk, Tow, or Salvage Yard														S			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Recycling Drop Off Centers													S	S			
Recycling Transfer and Processing Facilities														S			
Public & Quasi-Public Uses																	
Hospital						S		S	S								<a href="#">7.03(19)</a>
Public Library, Museum, Art Center, Community Center	S	S	S	S	S	P	P	P	P	P*	P	P	P	P	S	S	
Government Office Building/Courthouse/Public Police and Fire Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Post Office					P	P	P	P	P	P*	P	P	P	P			
Religious Institutions, Private Clubs, and Lodges (less than 75 persons)	S	S	S	S	S	S	S	P	P	P*	P	P	P	P			<a href="#">7.03(39)</a>
Religious Institutions, Private Clubs, and Lodges (greater than 75 persons)	S	S	S	S	S			P	P	S*	S	P					<a href="#">7.03(39)</a>
K-12 Schools, Public or Private	S	S	S	S	S	P	S	S	S	S*	S	S					
Institutions of Higher Learning						P	S	P	P	S*	P	P					
Public Parks	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Cemetery	S	S															
Essential Public Utility Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Other Uses																	
Accessory Buildings, Structures and Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	<a href="#">8.03</a>
Temporary Buildings/Uses	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	<a href="#">7.03(43)</a>
Home Occupation, Minor	A	A	A	A	A					A*	A	A			A	A	<a href="#">7.03(18)</a>
Home Occupation, Major	A+S	A+S	A+S	A+S	A+S					A+S*	A+S	A+S			A+S	A+S	<a href="#">7.03(18)</a>
Parking as a Principal Use	S	S	S	S	S	S	S	S	S	S*	S	S	S	S	S		<a href="#">7.03(34)</a>
Regulated Uses								S	S								<a href="#">7.03(38)</a>
Wireless Communication Facilities	Refer to <a href="#">Section 7.03(47)</a>																
Medical Marihuana Caregiver											P <sup>+</sup>	P <sup>+</sup>	P <sup>+</sup>	P <sup>+</sup>			<a href="#">7.03(24)</a>
Medical Marihuana and Adult Use Marihuana Safety Compliance Facility						P					P	P	P	P			<a href="#">7.03(25)</a>

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Medical Marihuana and Adult Use Marihuana Facilities	Refer to <a href="#">Section 7.03(26)</a>																

## Section 3.08 R-2 One Family Residential District

### PREAMBLE

The R-2 residential district is designed to provide for one-family dwelling sites and residentially related uses in keeping with the Master Plan of residential development in the City of Madison Heights.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> <li>Child Family Day Care Homes <a href="#">7.03(7)</a></li> <li>Detached One-Family Dwelling <a href="#">7.03(10)</a></li> <li>Essential Public Utility Services</li> <li>Foster Care Family Homes <a href="#">7.03(14)</a></li> <li>Government Office Building/Courthouse/Public Police and Fire Services</li> <li>Public Parks</li> <li>Temporary Buildings and Uses <a href="#">7.03(43)</a></li> </ul>	<ul style="list-style-type: none"> <li>Cemetery</li> <li>Child Group Day Care Homes <a href="#">7.03(7)</a></li> <li>Child/Adult Day Care Center and Preschools <a href="#">7.03(6)</a></li> <li>Foster Care Group Homes <a href="#">7.03(14)</a></li> <li>Home Occupation, Major <a href="#">7.03(18)</a></li> <li>K-12 Schools, Public or Private</li> <li>Parking as a Principal Use <a href="#">7.03(34)</a></li> <li>Public Library, Museum, Art Center, Community Center</li> <li>Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) <a href="#">7.03(39)</a></li> <li>Religious Institutions, Private Clubs, and Lodges (less than 75 persons) <a href="#">7.03(39)</a></li> </ul>	<ul style="list-style-type: none"> <li>Accessory Buildings, Structures and Uses <a href="#">Section 8.03</a></li> <li>Accessory Dwelling Unit <a href="#">7.03(1)</a></li> <li>Home Occupation, Major <a href="#">7.03(18)</a></li> <li>Home Occupation, Minor <a href="#">7.03(18)</a></li> </ul>

The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

### DIMENSION REGULATIONS

Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	7,200 sq. ft.	Front Yard (ft.)	25 ft. <a href="#">(A)</a>
Min. Lot Width (ft.)	60 ft.	Side Yard (one) (ft.)	5 ft. <a href="#">(E)</a>
Max. Lot Coverage	35%	Side Yard (total of 2) (ft.)	14 ft.
Min. Floor Area/Unit	--	Street Sides (ft.)	10 ft. <a href="#">(B)</a>
Max. Building Height (ft.)	25 ft.	Rear Yard (ft.)	30 ft.
Max. Building Height (stories)	--		

**Footnotes:** Refer to [Section 4.01](#) wherever a footnote is referenced in parentheses after one of the design regulations.

## Section 3.15 B-2 Community Business District

### PREAMBLE

The B-2 Community Business District is designed to cater to the needs of a larger consumer population than is served by the Neighborhood Business District and may be characterized by an integrated cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic. The B-2 district is intended along, and at the intersections of, major arterial streets.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> <li>Artist Studio</li> <li>Banquet/Assembly/Meeting Halls (greater than 75 persons) <a href="#">7.03(5)</a></li> <li>Banquet/Assembly/Meeting Halls (less than 75 persons) <a href="#">7.03(5)</a></li> <li>Bars and Taprooms</li> <li>Business or Trade Schools</li> <li>Child/Adult Day Care Center and Preschools <a href="#">7.03(6)</a></li> <li>Contractor's Office <a href="#">7.03(9)</a></li> <li>Essential Public Utility Services</li> <li>Financial Institutions</li> <li>Firearm Retail Sales <a href="#">7.03(13)</a></li> <li>General Retail, Small to Mid-Format (up to 30,000 sq. ft.) and Large-Format (&gt;30,000 sq. ft.)</li> <li>Government Office Building/Courthouse/Public Police and Fire Services</li> <li>Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.) and Large Format (&gt;30,000 sq. ft.) <a href="#">7.03(17)</a></li> <li>Incubator Kitchen or Catering Facility</li> <li>Incubator Workspaces</li> <li>Indoor Recreational Business <a href="#">7.03(21)</a></li> <li>Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution</li> <li>Institutions of Higher Learning</li> <li>Medical Office</li> <li>Microbreweries, Wineries and Distilleries</li> <li>Personal Service Establishments</li> <li>Pharmacy</li> <li>Post Office</li> <li>Professional Office</li> <li>Public Library, Museum, Art Center, Community Center</li> <li>Public Parks</li> <li>Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) <a href="#">7.03(39)</a></li> </ul>	<ul style="list-style-type: none"> <li>Auto Repair and Service (Major) <a href="#">7.03(2)</a></li> <li>Auto Repair and Service (Minor) <a href="#">7.03(2)</a></li> <li>Auto Sales (New and Used) and Rental <a href="#">7.03(3)</a></li> <li>Commercial Kennels and Boarding Facilities <a href="#">7.03(8)</a></li> <li>Funeral Homes <a href="#">7.03(15)</a></li> <li>Gasoline/Recharging Stations <a href="#">7.03(16)</a></li> <li>Hospital <a href="#">7.03(19)</a></li> <li>Hotels and Lodging Facilities <a href="#">7.03(20)</a></li> <li>K-12 Schools, Public or Private</li> <li>Outdoor Recreational Business <a href="#">7.03(32)</a></li> <li>Parking as a Principal Use <a href="#">7.03(34)</a></li> <li>Regulated Uses <a href="#">7.03(38)</a></li> </ul>	<ul style="list-style-type: none"> <li>Accessory Buildings, Structures and Uses <a href="#">Section 8.03</a></li> <li>Drive-Through Facilities <a href="#">7.03(11)</a></li> <li>Outdoor Dining and Seating <a href="#">7.03(31)</a></li> <li>Outdoor Sales and Display <a href="#">7.03(33)</a></li> </ul>

<ul style="list-style-type: none"> <li>• Religious Institutions, Private Clubs, and Lodges (less than 75 persons) <a href="#">7.03(39)</a></li> <li>• Residential/Commercial Mixed-Use <a href="#">7.02(2)</a></li> <li>• Restaurant</li> <li>• Temporary Buildings and Uses <a href="#">7.03(43)</a></li> <li>• Theater</li> <li>• Tobacco/Smoke Shop or Smoke Lounge <a href="#">7.03(44)</a></li> <li>• Tutoring and Instructional Services</li> <li>• Veterinary Clinic or Animal Grooming <a href="#">7.03(46)</a></li> </ul>		
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The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

#### DIMENSION REGULATIONS

Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	--	Front Yard (ft.)	10 ft.
Min. Lot Width (ft.)	--	Side Yard (one) (ft.)	10 ft. <a href="#">(A)</a>
Max. Lot Coverage	--	Side Yard (total of 2) (ft.)	20 ft. <a href="#">(A)</a>
Min. Floor Area/Unit		Street Sides (ft.)	10 ft.
Max. Building Height (ft.)	40 ft.	Rear Yard (ft.)	20 ft. <a href="#">(B)</a>
Max. Building Height (stories)			

Footnotes: Refer to [Section 4.02](#) wherever a footnote is referenced in parentheses after one of the design regulations

## Section 3.16 B-3 Regional Business District

### PREAMBLE

The B-3 Regional Business District is designed to provide sites for large-scale commercial establishments that provide goods and services to local residents as well as residents of other surrounding communities. The B-3 District is generally grouped around major interstate highway interchanges, generating a considerable volume of vehicular traffic.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> <li>Artist Studio</li> <li>Auto Repair and Service (Minor) <a href="#">7.03(2)</a></li> <li>Banquet/Assembly/Meeting Halls (greater than 75 persons) <a href="#">7.03(5)</a></li> <li>Banquet/Assembly/Meeting Halls (less than 75 persons) <a href="#">7.03(5)</a></li> <li>Bars and Taprooms</li> <li>Business or Trade Schools</li> <li>Child/Adult Day Care Center and Preschools <a href="#">7.03(6)</a></li> <li>Contractor's Office <a href="#">7.03(9)</a></li> <li>Essential Public Utility Services</li> <li>Financial Institutions</li> <li>Firearm Retail Sales <a href="#">7.03(13)</a></li> <li>General Retail, Small to Mid-Format (up to 30,000 sq. ft.) and Large-Format (&gt;30,000 sq. ft.)</li> <li>Government Office Building/Courthouse/Public Police and Fire Services</li> <li>Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.) and Large Format (&gt;30,000 sq. ft.) <a href="#">7.03(17)</a></li> <li>Hotels and Lodging Facilities <a href="#">7.03(20)</a></li> <li>Incubator Kitchen or Catering Facility</li> <li>Incubator Workspaces</li> <li>Indoor Recreational Business <a href="#">7.03(21)</a></li> <li>Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution</li> <li>Institutions of Higher Learning</li> <li>Medical Office</li> <li>Microbreweries, Wineries and Distilleries</li> <li>Personal Service Establishments</li> <li>Pharmacy</li> <li>Post Office</li> <li>Professional Office</li> <li>Public Library, Museum, Art Center, Community Center</li> </ul>	<ul style="list-style-type: none"> <li>Auto Repair and Service (Major) <a href="#">7.03(2)</a></li> <li>Auto Sales (New and Used) and Rental <a href="#">7.03(3)</a></li> <li>Auto Wash <a href="#">7.03(4)</a></li> <li>Commercial Kennels and Boarding Facilities <a href="#">7.03(8)</a></li> <li>Funeral Homes <a href="#">7.03(15)</a></li> <li>Gasoline/Recharging Stations <a href="#">7.03(16)</a></li> <li>Hospital <a href="#">7.03(19)</a></li> <li>Indoor Shooting Range <a href="#">7.03(22)</a></li> <li>K-12 Schools, Public or Private</li> <li>Outdoor Recreational Business <a href="#">7.03(32)</a></li> <li>Parking as a Principal Use <a href="#">7.03(34)</a></li> <li>Regulated Uses <a href="#">7.03(38)</a></li> <li>Self-Storage Facility <a href="#">7.03(40)</a></li> </ul>	<ul style="list-style-type: none"> <li>Accessory Buildings, Structures and Uses <a href="#">Section 8.03</a></li> <li>Drive-Through Facilities <a href="#">7.03(11)</a></li> <li>Outdoor Dining and Seating <a href="#">7.03(31)</a></li> <li>Outdoor Sales and Display <a href="#">7.03(33)</a></li> </ul>

<ul style="list-style-type: none"> <li>• Public Parks</li> <li>• Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) <a href="#">7.03(39)</a></li> <li>• Religious Institutions, Private Clubs, and Lodges (less than 75 persons) <a href="#">7.03(39)</a></li> <li>• Residential/Commercial Mixed-Use <a href="#">7.02(2)</a></li> <li>• Restaurant</li> <li>• Temporary Buildings and Uses <a href="#">7.03(43)</a></li> <li>• Theater</li> <li>• Tobacco/Smoke Shop or Smoke Lounge <a href="#">7.03(44)</a></li> <li>• Tutoring and Instructional Services</li> <li>• Veterinary Clinic or Animal Grooming <a href="#">7.03(46)</a></li> <li>• Wholesale Sales/Retail</li> </ul>		
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The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	--	Front Yard (ft.)	20 ft.
Min. Lot Width (ft.)	--	Side Yard (one) (ft.)	15 ft. <a href="#">(A)</a>
Max. Lot Coverage	--	Side Yard (total of 2) (ft.)	30 ft. <a href="#">(A)</a>
Min. Floor Area/Unit	--	Street Sides (ft.)	20 ft.
Max. Building Height (ft.)	40 ft.	Rear Yard (ft.)	20 ft. <a href="#">(B)</a>
Max. Building Height (stories)	--		

Footnotes: Refer to [Section 4.02](#) wherever a footnote is referenced in parentheses after one of the design regulations.



- 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.

1. **Application for Amendment.** An application for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property shall be commenced by filing an application with the Community and Economic Development Department on the forms provided by the Department and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a plot plan or survey which specifies the boundaries and legal description of the site. The Planning and Zoning Administrator, Planning Commission, and City Council may request additional information with the application.
2. **Amendment Review Procedures.** The amendment, be it a text or a map amendment, and application materials shall be prepared in accordance with the provisions of this Article and shall be reviewed in accordance with the following procedure. Amendments or application materials that do not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission:
  - A. **Technical Review.** Prior to Planning Commission consideration, the proposed amendment and application materials shall be distributed to the Technical Review Committee for review, comment, and recommendations. The proposed amendment and application materials may also be distributed to applicable outside agencies and designated city consultants for review.
  - B. **Public Hearing.** A public hearing shall be held at a Planning Commission meeting in accordance with [Section 15.01](#)
  - C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section, and shall report its findings and recommendation to the City Council.
  - D. **City Council Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the Planning Commission, the City Council may approve or deny the proposed amendment. If determined to be necessary, the City Council may refer the amendment back to the Planning Commission for further consideration. City Council may, but is not required to, hold an additional public hearing. In the case of an amendment to the official Zoning Map, the City Council shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.
3. **Standards of Review for Amendments.**
  - A. **Text Amendments.** In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
    - (1) Consistency with the goals, policies and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
    - (2) Consistency with the basic intent and purpose of this Zoning Ordinance.
    - (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.
  - B. **Map Amendments.** In considering any petition for an amendment to the Zoning Map, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
    - (1) Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.
    - (2) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- (3) Consistency with the goals, policies and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
- (4) The boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
- (5) The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.
- (6) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
- (7) The requested rezoning will not create an isolated or incompatible zone in the neighborhood.
- (8) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
- (9) That the amendment will not be expected to result in exclusionary zoning.

C. **Rezoning with Conditions.** The Planning Commission and City Council recognize that, in certain instances, it would be an advantage to both the City and to a property owner seeking rezoning if the property owner proposes certain conditions and limitations as part of a petition for rezoning. Therefore, it is the intent of this Section to provide a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, being MCL 125.3405, to permit property owners to offer conditions regarding the use and/or development of land as part of the rezoning request. It is the further intent of this ordinance to accomplish, among other things, the objectives of the Zoning Ordinance and the Master Plan to achieve integration of the proposed land development project with the characteristics of the surrounding area.

(1) **Authorization and Eligibility.**

- (a) The standards of this Section shall grant a property owner the option of voluntarily proposing conditions for the development and use of property in connection with the submission of a petition seeking a rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.
- (b) In order to be eligible for consideration of a Rezoning with Conditions, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific conditions (to be set forth in a Rezoning with Conditions Agreement) that are more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. Such conditions may include, but are not limited to, the following:
  - (i) The location, size, height or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other physical features of the proposed development.
  - (ii) Specification of maximum density or intensity of development and/or use, expressed in terms fashioned for the particular development and/or use. For example: units per acre, maximum usable floor area, or hours of operation.
  - (iii) Preservation of open space, natural resources and/or natural features.
  - (iv) Improvements to address traffic issues, including paving, substantial improvements to or funding of improvements to major roads to the benefit of the entire City.
  - (v) Site improvements such as signage, lighting, landscaping, building materials for the exterior of some or all structures above and beyond what would otherwise be required by City Ordinance.
  - (vi) Limitations on permissible uses of the property.
  - (vii) Any other conditions that may be voluntarily proposed by the property owner.

(2) **Application and Review Procedures.**

- (a) Application.

- (i) At the time of making application for amendment of this ordinance seeking a rezoning of property, or at a later time during the process of City consideration of such rezoning a property owner may submit a complete application for approval of a Rezoning with Conditions to apply in conjunction with the rezoning.
    - (ii) The application, which may be amended by the applicant during the process of consideration, shall specify the Rezoning Conditions proposed by the applicant, recognizing that Rezoning Conditions shall not authorize uses or development not permitted in the district proposed by the rezoning.
    - (iii) An application for a Rezoning with Conditions shall include a Rezoning with Conditions Agreement ("the Agreement"). The Agreement shall set forth the rezoning conditions and may incorporate a Rezoning with Conditions Plan.
    - (iv) The application shall include a notarized signature of the property owner indicating that the conditions attached to the rezoning are voluntarily offered.
  - (b) Technical Review Committee Review. The proposed Rezoning with Conditions will become an agenda item for the Technical Review Committee, with comments forwarded to the Planning Commission.
  - (c) Planning Commission Review.
    - (i) The proposed Rezoning with Conditions shall be noticed for public hearing in accordance with Section 15.01 before the Planning Commission as a proposed legislative amendment of the Zoning Ordinance.
    - (ii) Following the public hearing, and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed Rezoning with Conditions.
  - (d) City Council Review. Upon recommendation by the Planning Commission, the City Council shall make a final determination to approve or deny the Rezoning with Conditions as offered by the applicant. The City Council may only consider the conditions offered by the applicant and may not attach any other conditions to the rezoning other than those offered by the applicant. Any new conditions voluntarily offered by the applicant shall require Planning Commission review and a new public hearing. The City Council's deliberations shall include, but not be limited to, a consideration of the review criteria for a Rezoning with Conditions.
- (3) **Review Criteria.** A Rezoning with Conditions shall only be approved if it meets the following requirements and standards:
- (a) The proposed Rezoning with Conditions will further the goals and objectives of the City Master Plan.
  - (b) Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).
  - (c) The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:
    - (i) Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.
  - (d) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.
  - (e) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. In determining whether approval of a proposed application would be in the public interest, the benefits

which would reasonably be expected to accrue from the proposal shall be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

- (f) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.
  - (g) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the City, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the City.
  - (h) The offered condition(s) are beneficial to the public good and likely to be enforceable.
  - (i) The condition does not have the same effect as a use variance.
  - (j) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.
- (4) **Effect of Approval.** Approval of the Rezoning with Conditions and Rezoning with Conditions Agreement confirms only the rezoning of the property, subject to any conditions reflected in the Rezoning with Conditions Agreement. Any applicable site plan, plat, condominium, special land use, or variance approvals shall be required before any improvements to the property may be undertaken.

If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "CR Rezoning with Conditions". The Zoning Map shall specify the new zoning district plus a reference to "CR" e.g., the district classification for the property might be "B-1, Neighborhood Business District (CR, Rezoning with Conditions)", with a Zoning Map Designation of "B-1/CR." Use of the property so classified and approved shall comply with the conditions set forth in the Rezoning with Conditions Agreement. No development or use of the land inconsistent with the conditions of the Rezoning with Conditions Agreement shall be permitted.

(5) **Compliance with Conditions.**

- (a) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the Rezoning with Conditions Agreement. Any failure to comply with a condition contained within the Rezoning with Conditions Agreement shall constitute a violation of this Zoning Ordinance and shall be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- (b) No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Rezoning with Conditions Agreement.

(6) **Period of Approval.**

- (a) The Rezoning with Conditions and Agreement shall expire after a period of one (1) year from the effective date of the Rezoning unless substantial progress towards obtaining site plan and other required approvals has been made, and shall expire after a period of two (2) years unless development of the property is substantially begun within such two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.
- (b) In the event substantial progress towards obtaining site plan and other required approvals has not commenced within one (1) year and bona fide development has not commenced within two (2) years from the effective date of the rezoning, the Rezoning with Conditions and the Rezoning with Conditions Agreement shall be void and of no effect.
- (c) The property owner may apply for a one (1) year extension two (2) times. The request must be submitted to the Community and Economic Development Department before the approval time limit expires. The property owner must demonstrate why the extension should be granted, and must also demonstrate that there is a strong likelihood that the development or use will commence within the period of extension and proceed diligently thereafter to completion, and if the City Council finds that there has not been a change

in circumstances that would render the Rezoning with Conditions incompatible with adjacent or nearby use and zoning of land or is otherwise inconsistent with sound zoning policy.

- (d) An extension request shall be considered by the City Council following a recommendation by the Planning Commission.
- (e) If the Rezoning with Conditions becomes void in the manner provided in this section, the following procedures shall apply:
  - (i) The property owner may seek a new rezoning of the property within thirty (30) days of the expiration of the period of approval.
  - (ii) If no application is made for a new rezoning of the property, the land shall revert to its former zoning classification as set forth in MCL 124.286i (as amended). The City Council shall direct the Planning Commission to proceed with consideration of rezoning the land to its former zoning designation following the standard rezoning procedures set forth in this Zoning Ordinance.
  - (iii) Until such time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.
- (7) **Rezoning with Conditions Agreement Requirements.** A Rezoning with Conditions Agreement shall be executed between the applicant and the City at the time of City Council approval of a Rezoning with Conditions.
  - (a) Rezoning with Conditions Agreements shall, at a minimum, contain all of the following items:
    - (i) Identification of the requested zoning district and a listing of the conditions offered by the applicant.
    - (ii) A statement acknowledging that the Rezoning with Conditions was proposed by the applicant, and further agreement and acknowledgment that the conditions and Rezoning with Conditions Agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
    - (iii) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the Rezoning with Conditions Agreement.
    - (iv) Agreement and understanding that the approval and Rezoning with Conditions Agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.
    - (v) If the City Council grants an extension of approval, a new Rezoning with Conditions Agreement with the new expiration date shall be recorded.
    - (vi) Agreement and understanding that, if a Rezoning with Conditions becomes void, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
    - (vii) Agreement and understanding that each of the requirements and conditions in the Rezoning with Conditions Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved Rezoning with Conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
    - (viii) A legal description of the property affected by the Rezoning with Conditions.
    - (ix) Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
    - (x) Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the Agreement. A Rezoning with Conditions Plan may be included as an exhibit to the Agreement.
  - (b) The Rezoning with Conditions Plan may show the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of a Rezoning with Conditions Plan as an exhibit to a Rezoning with Conditions Agreement shall not replace the



requirement for preliminary and final site plan, subdivision, condominium, special land use or variance review and approval.

- (8) **Amendment of Rezoning with Conditions Agreement.** Amendment of a Rezoning with Conditions Agreement shall be proposed, reviewed and approved in the same manner as a new Rezoning with Conditions.
  - (9) **Recordation of Rezoning with Conditions Agreement.** A Rezoning with Conditions shall become effective following publication in the manner provided by law, and, after recordation of the Rezoning with Conditions Agreement, whichever is later.
  - (10) **Termination.** The City Council shall be the only body with the authority to terminate a Rezoning with Conditions agreement. The consideration to terminate the agreement shall be for reasons of expiration of the agreement, discovery of false information upon which the initial approval was based, or the existence or discovery of new information that alters the viability of the approved rezoning. The Termination shall comply with any applicable provisions of this ordinance or the Rezoning with Conditions Agreement.
  - (11) **City Right to Rezone.** Nothing in the Rezoning with Conditions Agreement or in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Rezoning with Conditions to another zoning classification. Any such rezoning shall be conducted in compliance with this Ordinance and the Michigan Zoning Enabling Act.
  - (12) If land that is subject to a Rezoning with Conditions Agreement is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Rezoning with Conditions Agreement, the Rezoning with Conditions Agreement attached to the former zoning classification shall cease to be in effect.
4. **Notice of Adoption of Amendment.** Following adoption of an amendment by the City Council, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk, which shall identify all map amendments. The required notice of adoption shall include all of the following information:
- A. In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Madison Heights."
  - B. In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).

## Section 15.08 Temporary Use Permits

1. **Purpose.** This section sets forth the requirements for the application, review, approval, and enforcement of temporary use permits in the City of Madison Heights. Temporary use permits may be reviewed and acted upon by the Planning and Zoning Administrator, Technical Review Committee, or Planning Commission.
2. **Use-Specific Standards.** Temporary uses are subject to the use-specific standards of [Section 7.03\(43\)](#)
3. **Planning and Zoning Administrator/Technical Review Committee Review.** The Planning and Zoning Administrator may review and approve certain temporary uses addressed in Section 7.03(XXXX). The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Technical Review Committee or Planning Commission for review and approval.
4. **Planning Commission Review.** The Planning Commission shall review and act upon temporary use permit requests where the applicant seeks approval for a time period longer than otherwise allowed by [Section 7.03\(43\)](#) or for a temporary use not specifically permitted in [Section 7.03\(43\)](#) nor deemed similar by the Planning and Zoning Administrator; provided, that the temporary use complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.



# NOTICE OF PUBLIC HEARING

Notice is hereby given that the **Planning Commission** for the City of Madison Heights will hold a public hearing on **Tuesday, January 21st, 2025 at 5:30 p.m.** in the City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071, to consider the following rezoning requests:

*Item 7.*

**Rezoning Request No. PRZN 24-02** by Jim Tottingham, 7 W. Square Lake Road on behalf of Mridha Interfaith Center, to rezone one (1) parcel of land located at 1357 W. 14 Mile Road (TM# 44-25-02-101-056) from R-2, One-Family Residential, to B-3, Regional Business district.

The application and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at [www.madison-heights.org](http://www.madison-heights.org) in the Agenda Center.

For further information, please contact the Community and Economic Development Department at (248) 583-0826

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Cheryl Rottmann, CMC  
City Clerk  
(248) 583-0826

**Fire Chief Employment Agreement  
First Amendment**

This First Amendment, made on the \_\_\_ of February 2025 by and between the City of Madison Heights, Michigan a municipal corporation, hereinafter referred to as the “City” and Greg Lelito, the Fire Chief (“Employee”).

**Whereas**, the City and the Employee are parties to an employment contract;

**Whereas**, the City and the Employee are desirous of amending the contract as set forth below;

**Whereas**, The City and the Employee have discussed these terms and the benefit to both parties, and seek to memorialize the terms in this First Amendment;

**Now Therefore Be It Resolved**, in consideration of the mutual covenants in this Agreement, the City and the Employee agree to amend the terms and conditions of employment as provided herein.

Article 4 Section D. Shall be replaced in its entirety by the following paragraph:

The maximum period for participation in the KEIP program is four (4) years (the “participation period”). The participant’s monthly pension benefit which is credited to his account shall cease as of the earlier of the participant’s termination of employment or expiration of the KEIP participation period.

Upon the acceptance of this Agreement by the Employee and the City Manager this document shall become a formal amendment to the Employee’s Employment Agreement and shall be made Appendix A.

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By: Melissa Marsh, City Manager

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Greg Lelito, Fire Chief

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