



**CITY OF MADISON HEIGHTS**  
**COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.**  
**ZONING BOARD OF APPEALS MEETING AGENDA**  
**APRIL 02, 2026 AT 7:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

1. Additions/Deletions

**UNFINISHED BUSINESS**

2. Election of Officers - Chair and Vice Chair

**APPROVAL OF MINUTES**

- [3.](#) February 5th, 2026 Meeting Minutes
- [4.](#) March 5th, 2026 Meeting Minutes

**PUBLIC HEARING**

- [5.](#) **PZBA # 26-02: 32420 Stephenson Highway**

REQUEST: The applicant, Troy Madison Extended Stay, requests a variance from Section 10.01.2.B(4) of the Zoning Ordinance pertaining to the location of off-street parking areas within the Mixed-Use Innovation Districts; the applicant proposes to add parking spaces within a required front yard area. The subject property is located at 32420 Stephenson Highway (TM# 44-25-02-176-028) and is zoned MUI-2, Mixed-Use Innovation 2.

**MEETING OPEN TO THE PUBLIC: Items not listed on agenda**

**NEW BUSINESS**

6. Consideration of New Meeting Time

**MEMBER UPDATES**

**PLANNER UPDATES**

**ADJOURNMENT**

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

Zoning Board of Appeals  
Madison Heights, Michigan  
February 05, 2026

A Zoning Board of Appeals was held on Thursday, February 05, 2026 at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Rd.

PRESENT: Chair Kimble and members: Aaron, Corbett, Covert, Holder, Loranger, Marentette, Oglesby, and Thompson

ABSENT: Sagar

**ZBA 09-26. Minutes.**

Motion made by Mr. Oglesby, Seconded by Ms. Thompson, to approve the January 8, 2026, Meeting Minutes as presented.

Voting Yea: Corbett, Holder, Kimble, Loranger, Marentette, Oglesby, Councilwoman Aaron, Ms. Covert, and Ms. Thompson

Absent: Rahul Sagar

Motion carried.

**ZBA 10-26. Excuse member(s).**

Motion made by Ms. Holder, Seconded by Mr. Oglesby, to excuse Mr. Rahul Sagar from tonight's meeting.

Voting Yea: Corbett, Holder, Kimble, Loranger, Marentette, Oglesby, Councilwoman Aaron, Covert, Thompson

Absent: Rahul Sagar

Motion carried.

**ZBA 11-26. Case # PZBA 26-01 - Interpretation**

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

**REQUEST**

The applicant, Justin H. Summerville d/b/a/ Harpers Auction House, is seeking an interpretation of Zoning Ordinance regulations pertaining to “Firearm Retail Sales” (Section 7.03.13). In particular, the applicant is seeking a determination from the Zoning Board of Appeals as to whether or not the sale of firearms as a small component of an online auction warehouse falls under the definition of “Firearm Retail Sales”, necessitating full compliance with locational and use-specific standards.

## STAFF COMMENT AND ZBA ACTION

The interpretation request can be simplified via the following question: **Does the proposed sale, transfer, lease, offer or advertising for sale or lease of a single firearm, even as a minor component of an otherwise permitted warehousing use, automatically classify an otherwise permitted use as a firearm retail sales establishment?**

The Zoning Ordinance contains several uses that are defined by whether or not a certain component constitutes a majority of sales of a business or the primary element of the use. For example, a bar/taproom is defined as, “an establishment where the *majority* of sales come from alcoholic products.” Therefore, a restaurant which sells a small amount of wine would not be classified as a bar. Further, a tobacco/smoke shop is defined as, “a store *primarily* selling tobacco products and smoking equipment.” Thus, a party store which sells a small amount of cigarettes behind the counter would not be classified as a tobacco/smoke shop.

In other cases, however, such as this one, a distinction based on whether a product constitutes the majority (or primary source) of sales is not made. For example, staff opines that a convenience store that has one single gas pump would still be classified as a “gasoline service station,” even if the sale of gas constitutes less than 1% of all sales. Therefore, the gasoline service station component would be subject to all use-specific standards for gas stations.

The definition for firearm retail sales does not contain a distinction based upon the “majority of sales” or “primary” source of sales. Rather, the definition states that firearm retail sales includes the, “*sale, transfer, lease, offer or advertising for sale or lease of a firearm [...]*.” The ZBA shall interpret whether the “a” in the definition implies one single firearm.

Further, the ZBA should consider that the use-specific standards for firearm retail sales states that it shall be unlawful to establish, “[...] *firearm retail sales as an accessory use in any location in the City except as provided for in this section.*” The ZBA should discuss and interpret whether the term “*accessory*” in this provision is limited to a separate, but subordinate use to the principal use (for example, a stand-alone, firearm sales booth within a separate principal use, (e.g. a permitted gun range)), or more strictly as a minor component of a principal use itself (e.g. the applicant’s online auction warehouse).

The ZBA has the following options for the interpretation request:

**Strict interpretation:** Interpret that the definition of “*firearm retail sales*”, Section 2.01.47, includes the sale, transfer, lease, offer or advertising for sale or lease of one or more firearms. Therefore, any otherwise permitted use that includes firearm retail sales, even as a minor component, shall be deemed a firearm retail sales establishment subject to the use-specific standards of Section 7.03.13, and shall only be permitted in those zoning districts where “firearm retail sales” is permitted.

**Interpretation in favor of Applicant:** Interpret that the definition of “*firearm retail sales*”, Section 2.01.47, does not include an otherwise permitted use where the sale, transfer, lease, offer or advertising for sale or lease of firearms constitutes less than 50% of overall sales, transfers, or leases. Therefore, any otherwise permitted use which offers the sale, transfer, lease, or advertisement of products shall not be deemed a “firearm retail sales” establishment if firearms constitute less than 50% of overall sales, transfers, or leases; such use shall not be subject to the use-specific standards of Section 7.03.13.

Following the consideration of all testimony, documentary evidence, and matters of record, and following the public hearing, the ZBA shall make a determination on the interpretation unless an extension of time is agreed to by the applicant and the ZBA. Any ZBA motion shall include clear and concise findings of fact relating to the interpretation request.

City Planner Lonnerstater explains that the applicant is seeking an **interpretation** regarding whether the sale of firearms as a minor component of an online auction business (located at 1100 East Mandoline in an M1 district) classifies the entire business as "firearm retail sales". Under the current ordinance, firearm retail is only permitted in M1 as an accessory use to an indoor shooting range.

Applicant Justin H. Somerville of Harper’s Auction House states the business auctions antiques and collectibles, with firearms intended to be less than 25% of sales. He notes that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) strictly regulate all sales of firearms. Mr. Somerville added that a Federal Firearms License (FFL) is required to process orders, transfers, or allow pick up of firearms.

Assistant City Attorney Tim Burns advises that interpretation creates a binding precedent. He notes that the ordinance uses the phrasing "a firearm," suggesting that even a single transaction could trigger the classification.

Chair Kimble opened the public hearing at 7:52 p.m. to hear comments on application #26-01.

There being no comments on application #26-01, Chair Kimble closed the public hearing at 7:54 p.m.

Mr. Tom Paglia, Vice President of the Ford Building, Inc., informed that Harper’s Auction House is an online sales business and is not open to the public.

Motion made by Mr. Loranger, Seconded by Mr. Oglesby, **MOVE THAT** the Zoning Board of Appeals hereby interprets that the definition of “firearm retail sales”, Section 2.01.47, includes the sale, transfer, lease, offer or advertising for sale or lease of one or more firearms. Therefore, any otherwise permitted use that includes firearm retail sales, even as a minor component, shall be deemed a firearm retail sales establishment subject to the usespecific standards of Section 7.03.13, and shall only be permitted in those zoning districts where “firearm retail sales” is permitted. This motion is based upon the language and implied intent of the use-specific standards for firearm retail sales, Section 7.03.13.

Voting Yea: Corbett, Kimble, Loranger, Marentette, Councilwoman Aaron, Thompson

Voting Nay: Holder, Oglesby, Covert

Absent: Sagar

Motion carried.

**ZBA 12-26. Public Comment: For items not listed on agenda.**

Seeing no one wished to comment, Chair Kimble opened public comment at 8:07 p.m. and closed the public comment at 8:08 p.m.

**ZBA 13-26. Unfinished business.**

Councilwoman Aaron expressed her concern regarding the Vice Chair position and the status of Ms. Gloria Thompson. She nominates Mr. Del Loranger for the position of Vice Chair.

City Planner Lonnerstater advised that other nominations can be considered for the Vice Chair position at the next Zoning Board of Appeals meeting.

Ms. Holder confirmed the nomination of Ms. Gloria Thompson for the position of Vice Chair. No formal action taken on the election of the Vice Chair.

**ZBA 14-26. New business.**

Ms. Marentette suggests moving the meeting start time earlier than 7:30 PM.

Chair Kimble directed staff to place this item on the March agenda for a formal vote.

**ZBA 15-26. Adjournment.**

Motion made by Ms. Holder, Seconded by Mr. Oglesby.

Voting Yea: Corbett, Holder, Kimble, Loranger, Marentette, Oglesby, Councilwoman Aaron, Covert, Thompson

Absent: Rahul Sagar

Motion carried.

There being no further business, Chair Kimble adjourned the meeting at 8:08 p.m.

Zoning Board of Appeals  
Madison Heights, Michigan  
March 05, 2026

A Zoning Board of Appeals was held on Thursday, March 05, 2026 at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Rd.

PRESENT: Aaron, Covert, Loranger, and Marentette

ABSENT: Corbett, Holder, Kimble, Oglesby, Sagar, and Thompson

City Planner Lonnerstater called the meeting to order at 7:35 p.m. and due to lack of quorum the regular meeting was adjourned at 7:36 p.m.

**ADJOURNMENT**

There being no further business, City Planner Lonnerstater adjourned the meeting at 7:36 p.m. and the next regular meeting is scheduled for Thursday, April 2<sup>nd</sup> at 7:30 p.m.



# MEMORANDUM

Report Date: February 27<sup>th</sup>, 2026  
 To: City of Madison Heights Zoning Board of Appeals  
 Meeting Date: March 5<sup>th</sup>, 2026  
 April 2<sup>nd</sup>, 2026  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Variance for Parking in a Front Yard  
 PZBA 26-02 – 32420 Stephenson Hwy.

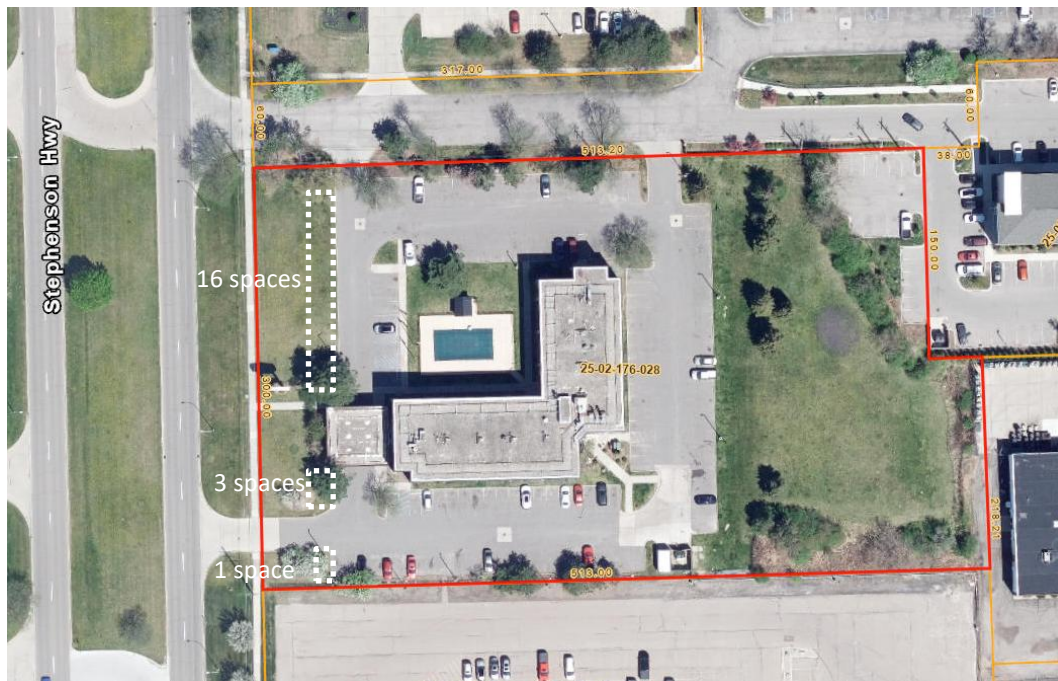
## REQUEST

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

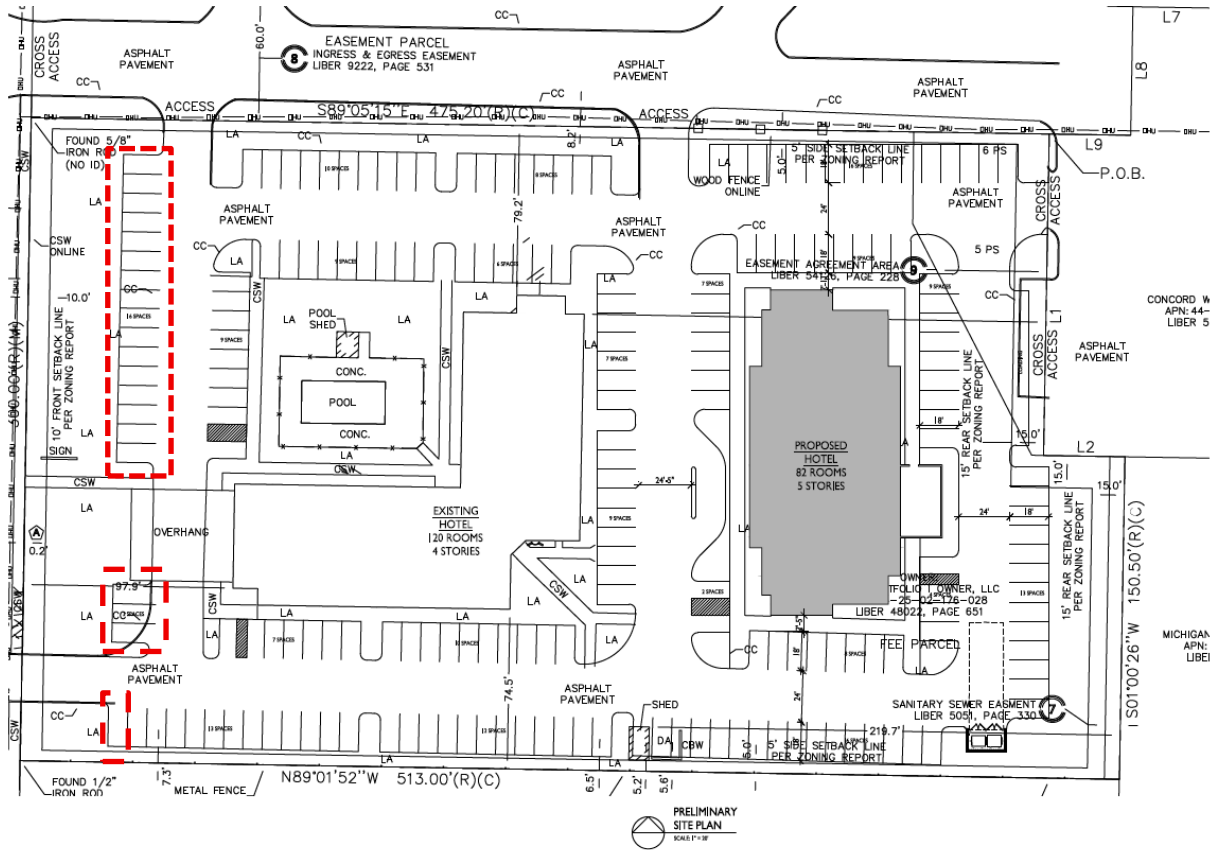
A variance is requested from Section 10.01.2.B.4 (Intent and General Parking Requirements – Location) which states:

**Mixed-Use Districts (CC and MUI):** Off-street parking shall be located in the side or rear yard only, as further restricted in Article 6 (City Center), Section 3.20 (MUI-1), and Section 3.21 (MUI-2). [...].

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



**Preliminary Site Plan [new front-yard parking denoted in red]**



**Current Streetview from Stephenson Hwy.**



**ZONING ORDINANCE STANDARDS**

**Parking**

The applicant is seeking relief from Section 10.01.2.B.4 of the Zoning Ordinance, reading in full as follows:

***(4) Mixed-Use Districts (CC and MUI):** Off-street parking shall be located in the side or rear yard only, as further restricted in Article 6 (City Center), Section 3.20 (MUI-1), and Section 3.21 (MUI-2). Parking areas within a side yard shall be located behind the front setback line of the principal building but shall in no case be located less than five (5) feet from the front property line or street side property line. Off-street parking spaces shall further be sited in a manner that achieves Perimeter Landscaping requirements, Section 11.06, and Transitional Landscaping Requirements, Section 11.04.*

Within the MUI-2 district, front-yard parking is not permitted. The Zoning Ordinance defines a “front yard” as, “an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line or street and the nearest point of the closest structure. Where the lot does not abut a public or private street and is served by a private easement, the front lot line shall be the lot line abutting the easement.”

The proposed hotel necessitates additional parking on site to satisfy the minimum parking requirements of Section 10.03 of the Zoning Ordinance. Parking for hotels is required at a rate of one space per hotel room, broken down for the site as follows:

Hampton Inn (existing) = 120 Rooms = 120 Parking Spaces  
Proposed Hotel = 82 Rooms = 82 Parking Spaces  
**Total = 202 Parking Spaces**

The concept plan shows a total of 200 parking spaces (including the front yard parking) which is less than the minimum required. However, the applicant may seek a 20% administrative reduction in minimum parking spaces through the site plan process, which could reduce the total amount of parking spaces to 162. With 200 proposed spaces, the parking count is within the range permitted through the administrative reduction.

Twenty (20) new parking spaces are proposed within the required front yard area, including sixteen (16) spaces near the pool area, three (3) spaces to the southwest of the canopy, and one (1) additional space added to the southernmost row of parking. The variance request is limited to these spaces.

Staff notes that Section 11.06 states that no more than fifteen (15) parking spaces shall be provided in an uninterrupted row. Sixteen (16) new uninterrupted parking spaces are proposed in the front yard area near the pool; one (1) of these spaces will need to be removed

**Landscaping**

Parking lot right-of-way screening is required between new parking areas and the right-of-way in accordance with Section 11.06. Screening can be provided in the form of a dense landscaping hedge, a row of shrubs, or an ornamental screen wall. A double-row of shrubs is shown in front of the 16-space and 3-space parking areas, but not in front of the new parking space in the southwest corner. Additional frontage landscaping in the form of linden trees and white fir trees are proposed within the front yard area.

## VARIANCE FINDINGS AND CRITERIA

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

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

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

## STAFF ANALYSIS

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

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

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

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

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

If a motion to approve the variance is presented, staff recommends several conditions of approval to further limit adverse visual impacts on adjacent properties and the streetscape and meet the spirit of the Zoning Ordinance

Suggested conditions:

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

**ZBA ACTION**

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

Attachments

- Maps
- ZBA Application and Documents
- Section 10.01.2.B(4) – [Parking, Loading and Access Management] Parking Location Standards
- Section 15.06 – Variances and Appeals
- Public Hearing Notice

**TEMPLATE MOTIONS**

**Variance– Residential Setback Requirement**

APPROVAL:

Move that the Zoning Board of Appeals APPROVE a variance from Section 10.01.2.B(4) of the Zoning Ordinance to permit parking spaces within a required front yard at 32420 Stephenson Highway. This motion, being made after the required public hearing, is based upon the following findings:

- 1) Section 10.01.2.B(4) limits the placement of new parking spaces to required side and rear yards; and
- 2) Strict compliance with the parking location standards would unreasonably prevent the owner from providing the minimum amount of required parking on site for the proposed use; and
- 3) A variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and
- 4) The plight of the owner is due to unique circumstances of the property; and
- 5) The requested variance is the minimum amount necessary to permit reasonable development of the land, building or structure; and
- 6) With conditions, the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

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

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

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

Move that the Zoning Board of Appeals DENY a variance from Section 10.01.2.B(4) of the Zoning Ordinance to permit parking spaces within a required front yard at 32420 Stephenson Highway. This motion, being made after the required public hearing, is based upon the following findings:

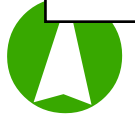
- 1) Section 10.01.2.B(4) limits the placement of new parking spaces to required side and rear yards; and
- 2) Strict compliance with the parking location standards would not unreasonably prevent the owner from continuing to utilize the existing site as a hotel use, or developing a new hotel at the rear of the property; and
- 3) The authorization of such variance will materially impair the intent and purpose of this Ordinance to prohibit front yard parking areas within the MUI-2 district; and
- 4) The plight of the owner is not due to unique or extraordinary physical or natural circumstances on the property; and
- 5) The need for the requested variance is a result of actions of the property owner to add a new hotel building to the rear of a site which already contains a hotel use.

# PZBA 26-02 : 32420 STEPHENSON HWY

Item 5.





# Site Address: 32420 Stephenson Hwy



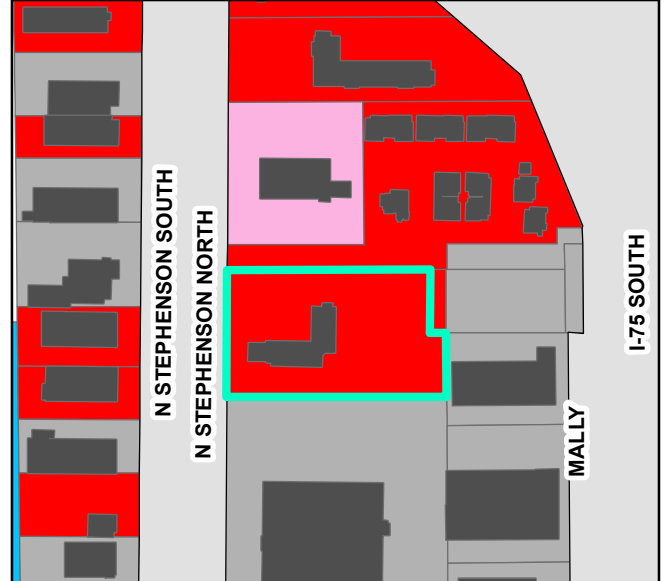
[Click for map](#)




Aerial



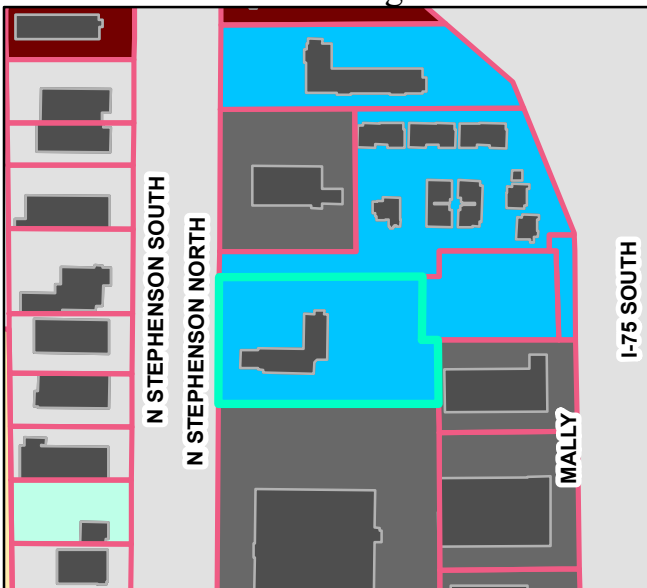
 32420 Stephenson Hwy  Parcels

Existing Land Use



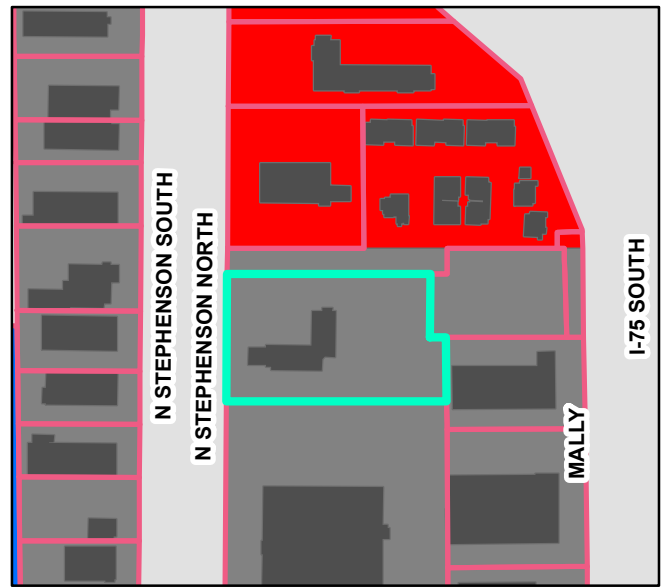
 32420 Stephenson Hwy  
 Commercial  Industrial




Zoning



 32371 Dequindre Rd  M-1 Light Industrial  
 MUI-Mixed Use Innovation  MUI2

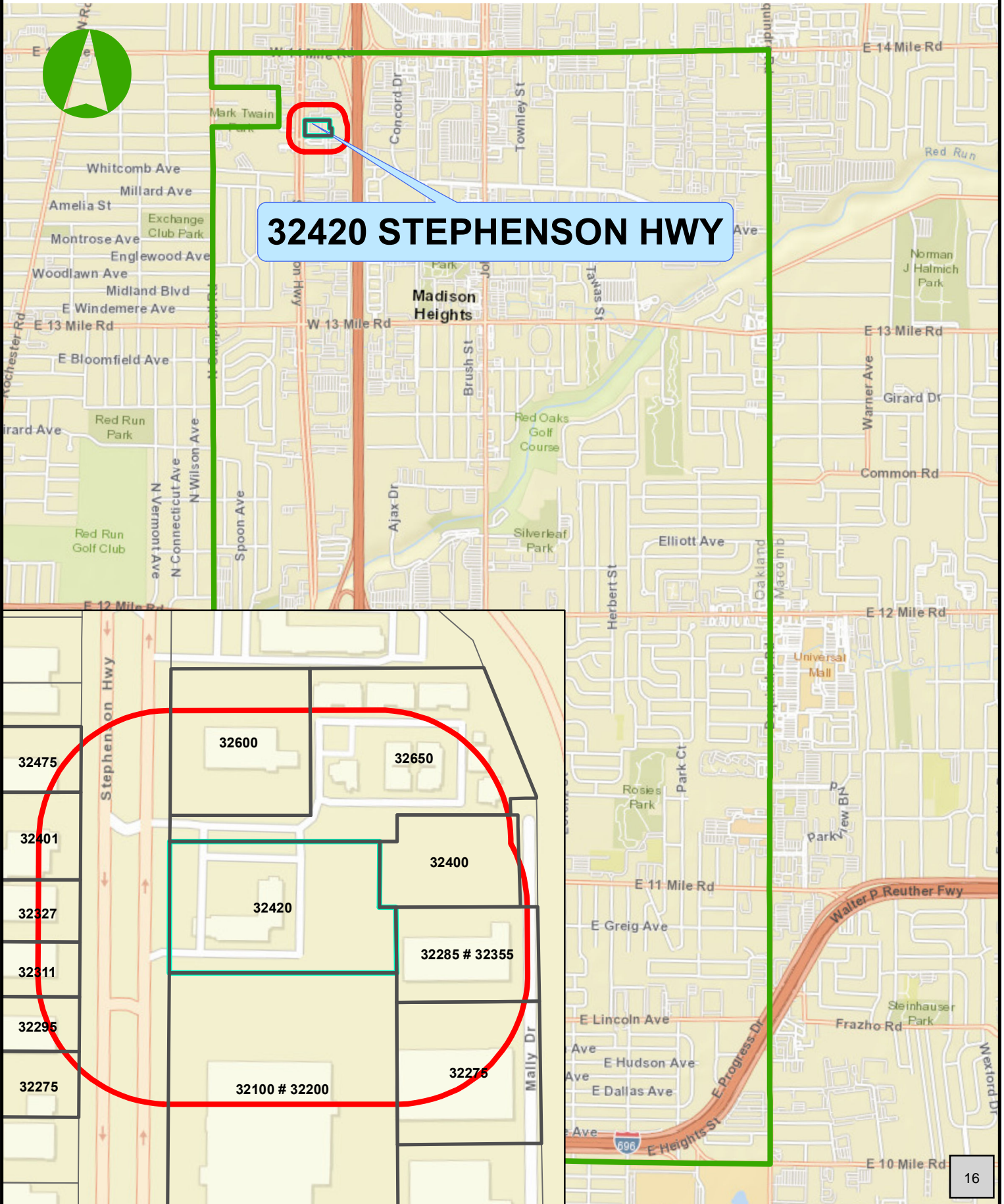
Future Land Use



 32371 Dequindre Rd  Industrial  
 Commercial

# PZBA 26-02 : 32420 STEPHENSON HWY BUFFER: 300FT

Item 5.





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

I. APPLICANT INFORMATION

Applicant Troy Madison Extended Stay  
Applicant Address 31100 Stephenson Highway  
City Madison Heights State MI ZIP 48071  
Interest in Property (owner, tenant, option, etc.) Owner  
Contact Person Dustin Brockmiller  
Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION (IF APPLICABLE)

Property Address 32420 Stephenson Hwy, Madison Heights, MI 48071  
Tax ID 44-25-02-176-028 Zoning District MUI-2  
Owner Name (if different than applicant) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name Scott Bowers Company Bowers+Associates  
Address 2000 Green Road Suite 200  
City Ann Arbor State MI Zip 48105  
Telephone Number [REDACTED] Email Address [REDACTED]

**IV. NATURE OF REQUEST**

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

Brief Description of Request

Add additional spaces to front yard of existing hotel, entire lot will but updated with additional landscaping buffer and islands.

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

**V. APPLICANT CERTIFICATION**

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

Printed Name Akram Namou Signature *Akram Namou* Date 1-27-26

**VI. PROPERTY OWNER CERTIFICATION**

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

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

Printed Name Akram Namou Signature *Akram Namou* Date 1-27-26

**Notary for Property Owner:**

**Notary Stamp**

Subscribed and sworn before me, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

A Notary Public in and for \_\_\_\_\_ County, Michigan.

Notary Name (Print): \_\_\_\_\_

Notary Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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

FILING FEE: <u>\$400</u> > DIMENSIONAL VARIANCE/NON-CONFORMING USE: o Single-Family: \$300 o Multi-Family/Non-Residential: \$400 + \$300 per additional variance > Appeal/Interpretation: \$400	ZBA NO.: PZBA # <u>26-0007</u> DATE APPLICATION RECEIVED: <u>1/27/26</u> RECEIVED BY: <u>AE</u>
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**SECTION D: DIMENSIONAL (NON-USE) VARIANCE**

Check here for a Dimensional (Non-Use) Variance (Section 15.06 of Zoning Ordinance)

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

Section 10.01.2.B(4)	

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

Existing drive and entry canopy in front yard, plan to add additional spaces to existing drive to permit additional landscape islands in the existing parking lot and development of a second hotel in the rear of the site. Ordinance states off-street parking in MUI-2 district shall only be in side or rear yard.

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

Existing building is oriented with the main entrance and car drop off is in the front yard. Reorienting the interior of the existing building would require significant changes.

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

Many nearby parcels in the neighboring area also have parking and drive in the front yard, often closer to the right-of-way than our proposal. The goal of the variance is to improve the site design to closer meet ordinance intent while preserving the existing building that has not reached the end of it's use.

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

The existing location of the building was constructed in compliance with with the previous zoning ordinances.

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

No new drives in the front yard are being proposed, placing parking on both sides of the existing drive is the most efficient way to re-distribute lost spaces around the site.

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

The drive and parking spaces already existing in the front yard not to the detriment of adjacent properties. This additional parking will allow for the creation of more landscape islands in existing parking rows to provide a better environment and improve storm water management

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

The existing building was built to the ordinance and standards as they were at the time of construction, while the standards have changed, the variance is the result of an effort to comply with the intent of the current ordinance on an already developed parcel.

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

# LIVSMART STUDIOS

32420 STEPHENSON HWY  
MADISON HEIGHTS, MICHIGAN



BOWERS + ASSOCIATES, INC.  
2400 SOUTH HURON PARKWAY  
ANN ARBOR, MI 48104  
P: 734.975.2400  
WWW.BOWERSARCH.COM

CONSULTANT + NAME

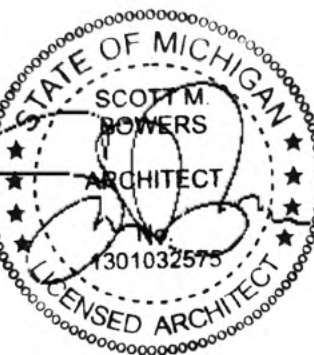
PROJECT + INFORMATION  
**LIVSMART STUDIOS**  
32420 STEPHENSON HWY  
MADISON HEIGHTS, MI

PROJECT + NUMBER

25-211

ISSUE + DATE

15 AUG 2026 ZBA



SHEET + TITLE

TYPICAL  
UPPER FLOOR PLAN

25211\_T100.dwg

SHEET + NUMBER

A-101

OWNER

31100 STEPHENSON HIGHWAY  
MADISON HEIGHTS, MI 48071  
T: 248.557.9030

CIVIL ENGINEER

SM ENGINEERS  
1939 LINCOLNSHIRE DRIVE  
ROCHESTER HILLS, MI

LANDSCAPE ARCHITECT

SM ENGINEERS  
1939 LINCOLNSHIRE DRIVE  
ROCHESTER HILLS, MI

ARCHITECT

BOWERS + ASSOCIATES, INC.  
2400 S. HURON PARKWAY  
ANN ARBOR, MICHIGAN 48104  
T: 734.975.2400

STRUCTURAL ENGINEER

TBD

MEP ENGINEER

TBD

SHEET INDEX:

ARCHITECTURAL

- T-100 COVER SHEET
- A-001 ARCHITECTURAL SITE PLAN
- A-100 FIRST FLOOR PLAN
- A-101 TYPICAL UPPER FLOOR PLAN

CIVIL

- C3.0 SITE LAYOUT AND PAVING PLAN
- C3.1 FIRE TRUCK TURNING PLAN
- C3.2 LANDSCAPE PLAN
- C4.0 GRADING PLAN
- C5.0 UTILITY PLAN







BOWERS+ASSOCIATES, INC.  
2400 SOUTH HURON PARKWAY  
ANN ARBOR, MI 48104  
P: 734.979.2400  
WWW.BOWERSARCH.COM

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PROJECT + INFORMATION  
**LIVSMART STUDIOS**  
32420 STEPHENSON HWY  
MADISON HEIGHTS, MI

PROJECT + NUMBER

25-211

ISSUE + DATE

15 JAN 2026 ZBA



SHEET + TITLE  
FIRST FLOOR PLAN

25211\_A1xx.dwg

SHEET + NUMBER

A-100

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FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



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P: 734.979.2400  
WWW.BOWERSARCH.COM

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PROJECT + INFORMATION  
**LIVSMART STUDIOS**  
32420 STEPHENSON HWY  
MADISON HEIGHTS, MI

PROJECT + NUMBER

25-211

ISSUE + DATE

15 AUG 2026 ZBA



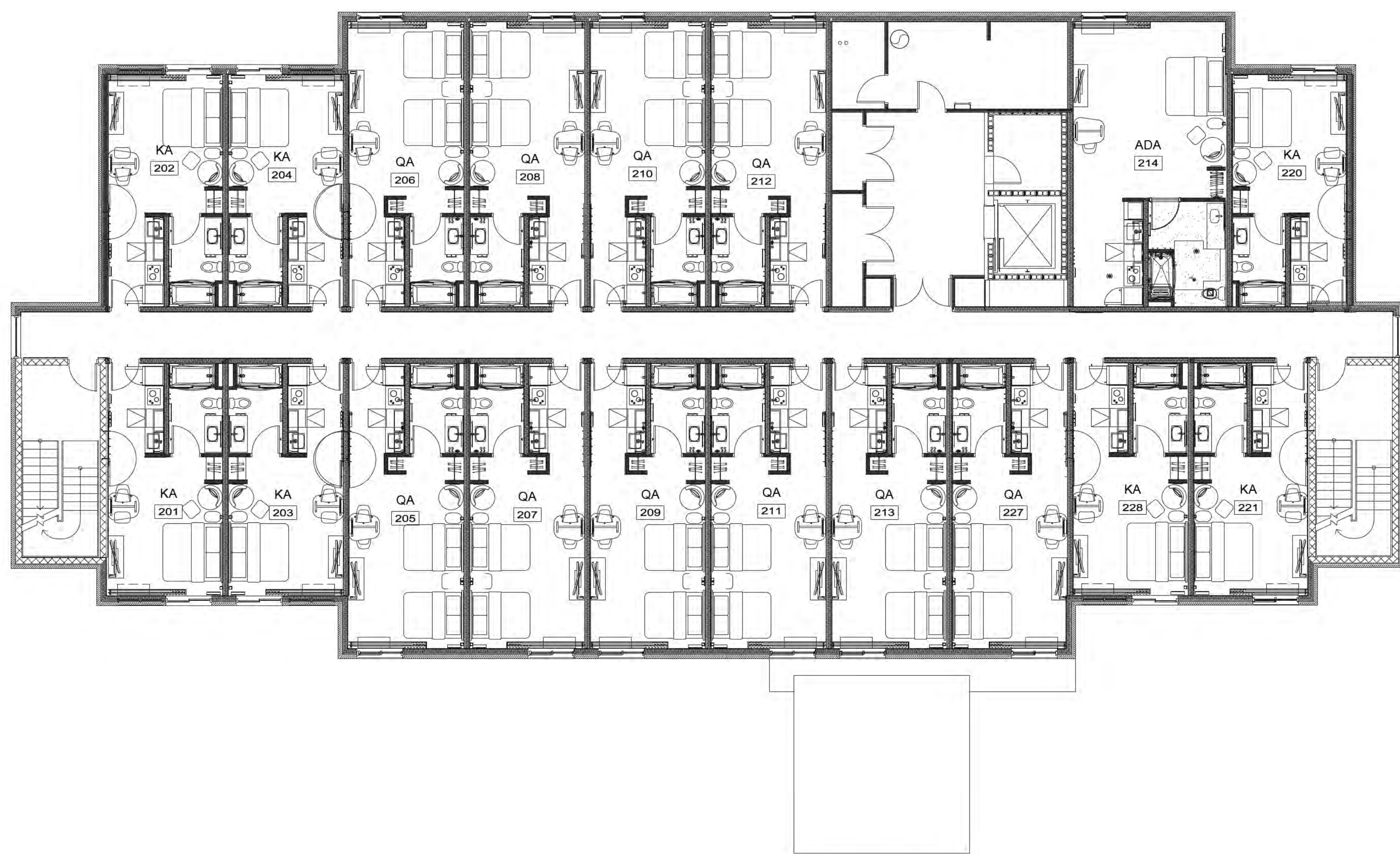
SHEET + TITLE  
TYPICAL  
UPPER FLOOR PLAN

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SHEET + NUMBER

A-101

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TYPICAL UPPER  
FLOOR PLAN  
SCALE: 1/8" = 1'-0"

# S.M. ENGINEERS

CIVIL ENGINEER / SURVEY /  
LAND PLANNER /  
LANDSCAPE ARCHITECT

1939 LINCOLNSHIRE DRIVE,  
ROCHESTER HILLS, MI  
T: 248.835.3553



1	SPA REVIEW	10.08.2025
NO.	SUBMITTAL	DATE

**LIVSMART STUDIOS**  
32420 STEPHENSON HWY,  
MADISON HEIGHTS, MICHIGAN

## SITE LAYOUT PLAN

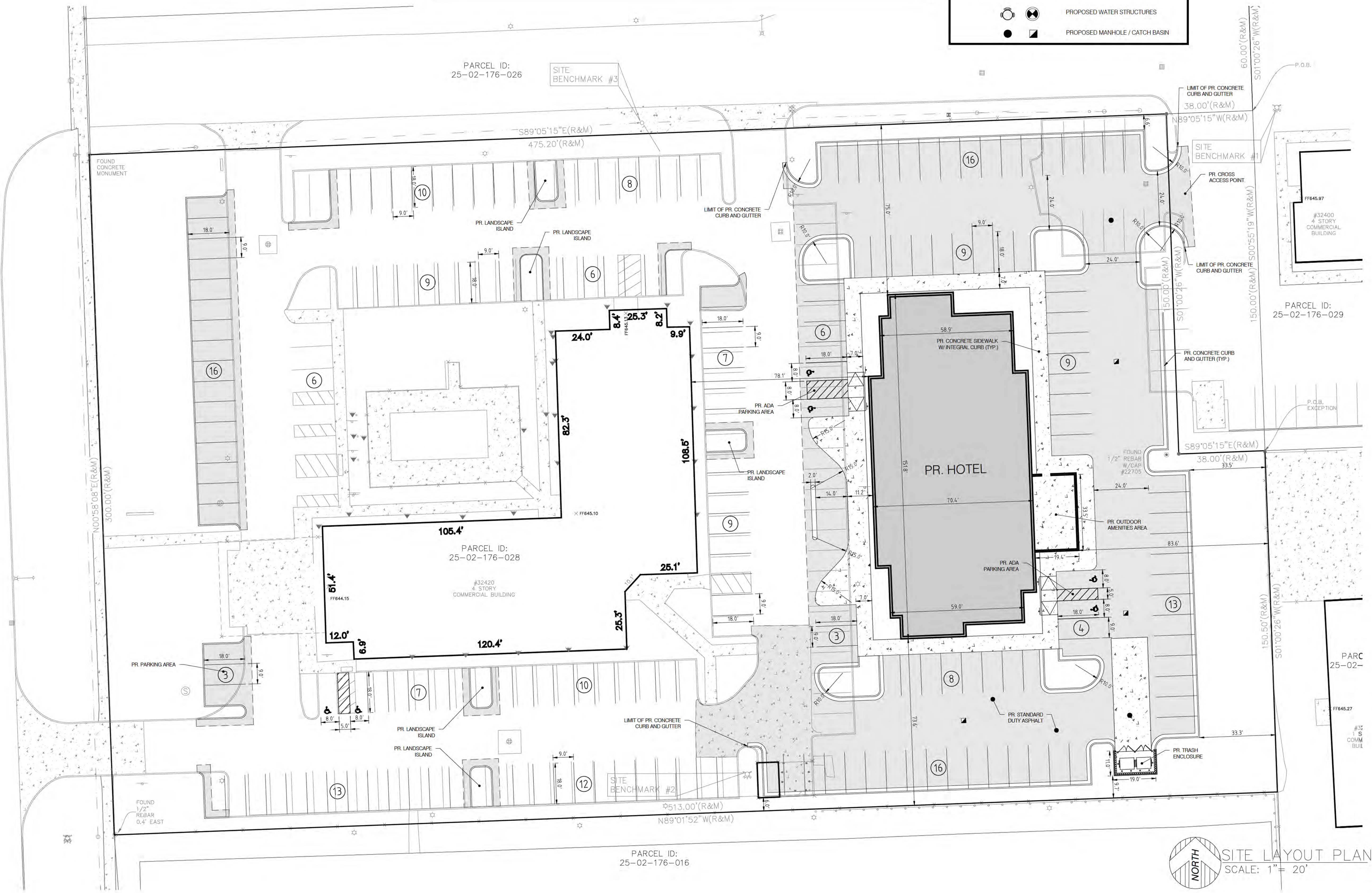
**C3.0** 25036

### SITE NOTES

1. ALL LIGHTING SHALL BE SHIELDED AND DIRECTED DOWNWARD AND AWAY FROM ADJACENT PROPERTIES. LIGHTING SHALL MEET REQUIREMENTS OF THE LOCAL ZONING ORDINANCE. SEE LIGHTING PLAN FOR ADDITIONAL INFORMATION.
2. GROUND MOUNTED TRANSFORMERS AND ROOF MOUNTED MECHANICAL EQUIPMENT SHALL BE SCREENED AS REQUIRED IN THE LOCAL ZONING ORDINANCE.
3. ALL SIGNS TO MEET REQUIREMENTS OF CITY CODE OF ORDINANCES AND BE APPROVED BY BUILDING DEPARTMENT.
4. PARKING SPACES SHALL BE STRIPPED PER LOCAL ZONING ORDINANCE.
5. NO TRAILER CAMPS OR TENT SITES ESTABLISHED ON-SITE.

### SITE LEGEND

- PROPERTY LINE
- SETBACK LINE
- PROPOSED CONCRETE CURB AND GUTTER
- PROPOSED BUILDING
- PR. FULL DEPTH ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED WATER STRUCTURES
- PROPOSED MANHOLE / CATCH BASIN



**SITE LAYOUT PLAN**  
SCALE: 1" = 20'

STEPHENSON HWY  
204' RIGHT OF WAY  
ASPHALT

C3.0 Site Layout & Paving Plan.dwg

10/10/2025

GregEzzo

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CIVIL ENGINEER / SURVEY /  
LAND PLANNER /  
LANDSCAPE ARCHITECT

1939 LINCOLNSHIRE DRIVE,  
ROCHESTER HILLS, MI  
T: 248.835.3553



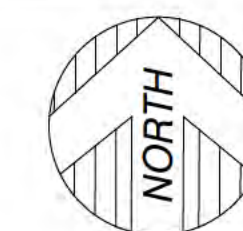
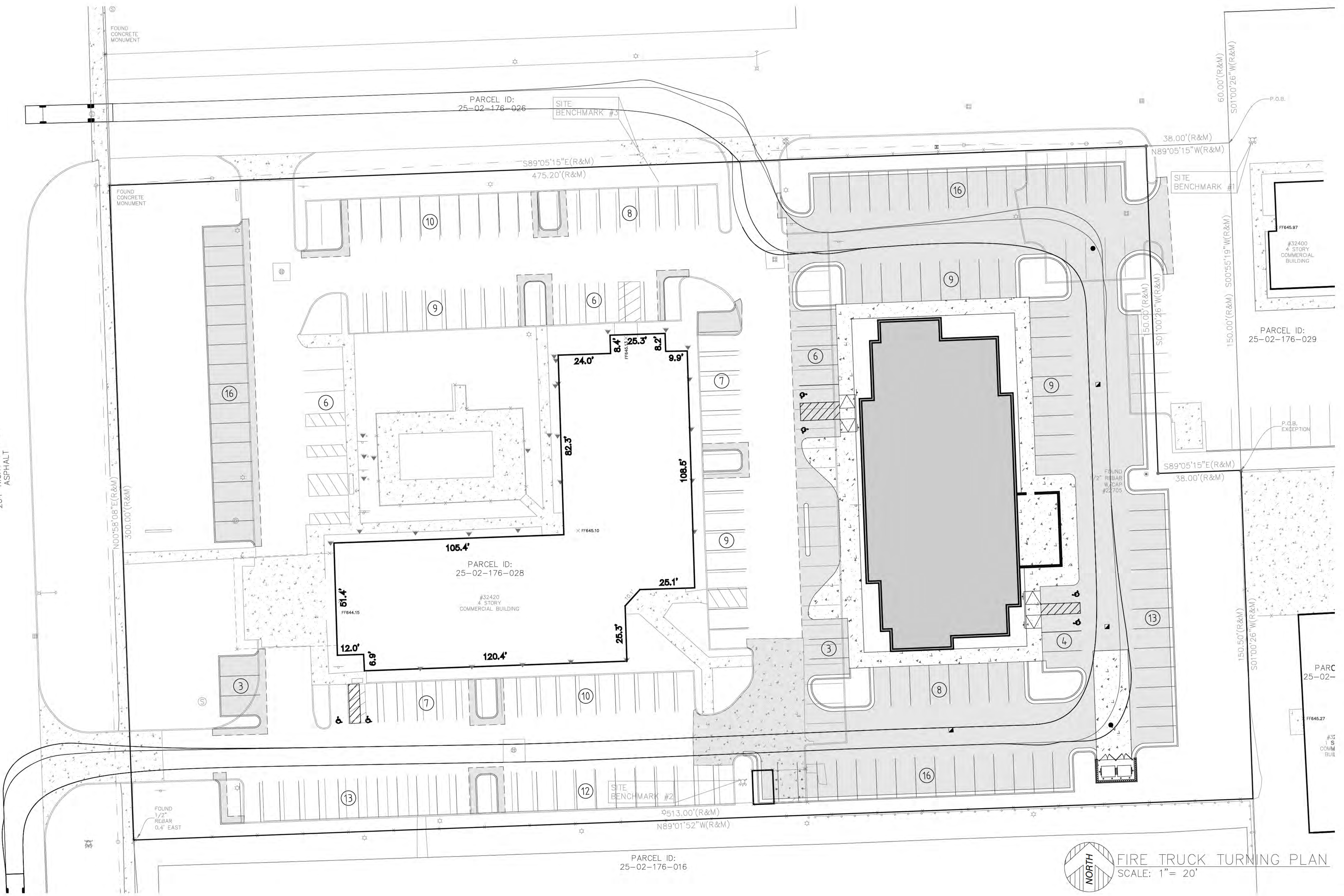
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NO.	SUBMITTAL	DATE

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32420 STEPHENSON HWY,  
MADISON HEIGHTS, MICHIGAN

## FIRE TRUCK TURNING PLAN

# C3.1

# 25036



FIRE TRUCK TURNING PLAN  
SCALE: 1" = 20'

LANDSCAPE REQUIREMENTS

GREENBELT BUFFER (MUI-2 TO M-2)  
GREENBELT

MINIMUM WIDTH 5.0 FT; 6.0 FT PROVIDED  
1 EVERGREEN OR DECIDUOUS TREE PER 30 LF OF GREENBELT:  
(1 TREE / 30 LF) \* 230 LF = 8 TREES REQUIRED, 8 TREES PROPOSED.  
4 SHRUBS PER 30 LF OF GREENBELT:  
(4 SHRUBS / 30 LF) \* 230 LF = 31 SHRUBS REQUIRED, 31 SHRUBS PROPOSED.

INTERIOR PARKING LOT LANDSCAPING  
OFF-STREET PARKING AREAS W/ 10 OR MORE SPACES SHALL PROVIDE 5 SF PARKING LOT LANDSCAPING PER PARKING SPACE

200 SPACES \* 5 SF = 1,000 SF  
1 DECIDUOUS TREE PER 100 SF OF INTERIOR LANDSCAPING  
(1 TREE / 100 SF) \* 1,000 SF = 10 TREES REQUIRED, 13 TREES PROPOSED.

RIGHT OF WAY LANDSCAPING

1 DECIDUOUS/EVERGREEN TREE PER 40 LF OF ROAD FRONTAGE  
(1 TREE / 40 LF) \* 300 LF = 8 TREES REQUIRED, 9 TREES PROPOSED.  
1 ORNAMENTAL TREE PER 40 LF OF ROAD FRONTAGE  
(1 TREE / 100 LF) \* 300 LF = 3 TREES REQUIRED, 3 TREES PROPOSED.  
1 SHRUB PER 5 LF OF ROAD FRONTAGE  
(1 SHRUB / 5 LF) \* 300 LF = 60 SHRUB REQUIRED, 72 SHRUB PROPOSED.

PERIMETER LANDSCAPING

1 DECIDUOUS/EVERGREEN TREE PER 40 LF OF PERIMETER  
(1 TREE / 140 LF) \* 1,227 LF = 9 TREES REQUIRED, 11 TREES PROPOSED / 9 TREES EXISTING  
1 ORNAMENTAL TREE PER 100 LF OF PERIMETER  
(1 TREE / 100 LF) \* 1,227 LF = 13 TREES REQUIRED, 13 TREES PROPOSED.  
1 SHRUB PER 5 LF OF PERIMETER  
(1 SHRUB / 5 LF) \* 1,227 LF = 246 SHRUB REQUIRED, 250 SHRUB PROPOSED.

INTERIOR AND BUILDING FOUNDATION LANDSCAPING  
PROVIDED TO AT LEAST 5% OF TOTAL IMPERVIOUS AREA, PROVIDED NEAR BUILDING ENTRANCES, FOUNDATIONS, WALKWAYS, SERVICE AREAS, ETC.

109,923 SF IMPERVIOUS AREA \* 5% = 5,496 SF  
1 DECIDUOUS TREE PER 400 SF OF INTERIOR LANDSCAPING AREA  
(1 TREE / 400 SF) \* 5,496 SF = 14 TREES REQUIRED, 13 TREES PROPOSED / 2 TREES EXISTING  
2 SHRUBS PER 400 SF OF INTERIOR LANDSCAPING AREA  
(2 SHRUBS / 400 SF) \* 5,496 SF = 28 SHRUBS REQUIRED, 40 SHRUBS PROPOSED.

PLANT SCHEDULE					
PLANT KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
<b>DECIDUOUS TREES (TOTAL: 34)</b>					
T.L. COR.	8	TILIA CORDATA 'GREENSPRE'	GREENSPRE LINDEN	3" CAL.	B&B
PLA. ACE.	16	PLATANUS X ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	3-3.5" CAL.	B&B
<b>EVERGREEN TREES (TOTAL: 11)</b>					
ABI. CON.	11	ABIES CONCOLOR	WHITE FIR	8'-10'	B&B
<b>ORNAMENTAL TREES (TOTAL: 17)</b>					
CRA. V.R.	17	CRATAEGUS V.R. DIS	WINTER KING HAWTHORN	10'-12'	B&B
<b>SHRUBS (TOTAL: 342)</b>					
RHU. GRO.	82	RHUS AROMATICA 'GRO LOW'	FRAGRANT SUMPAC	3 GAL.	CONT. 36" O.C.
ILE. COM.	89	ILEX GLABRA 'COMPACTA'	COMPACT HICKBERRY	24"-30"	CONT.
ITE. VIR.	80	ITEA VIRGINICA	VIRGINIA SWEETSPRE	36"-48"	CONT.
HYD. ARB.	92	HYDRANGEA ARBORESCENS	SMOOTH HYDRANGEA	24"-30"	CONT.
THU. OCC.	19	THUJA OCCIDENTALIS	AMERICAN ARBORVITAE	10'-15'	CONT. 36" O.C.
<b>PERENNIALS / GRASSES (TOTAL: 14)</b>					
PAN. V.R.	14	PANICUM VIRGATUM	SWITCHGRASS	2'-3" W DE	B&B

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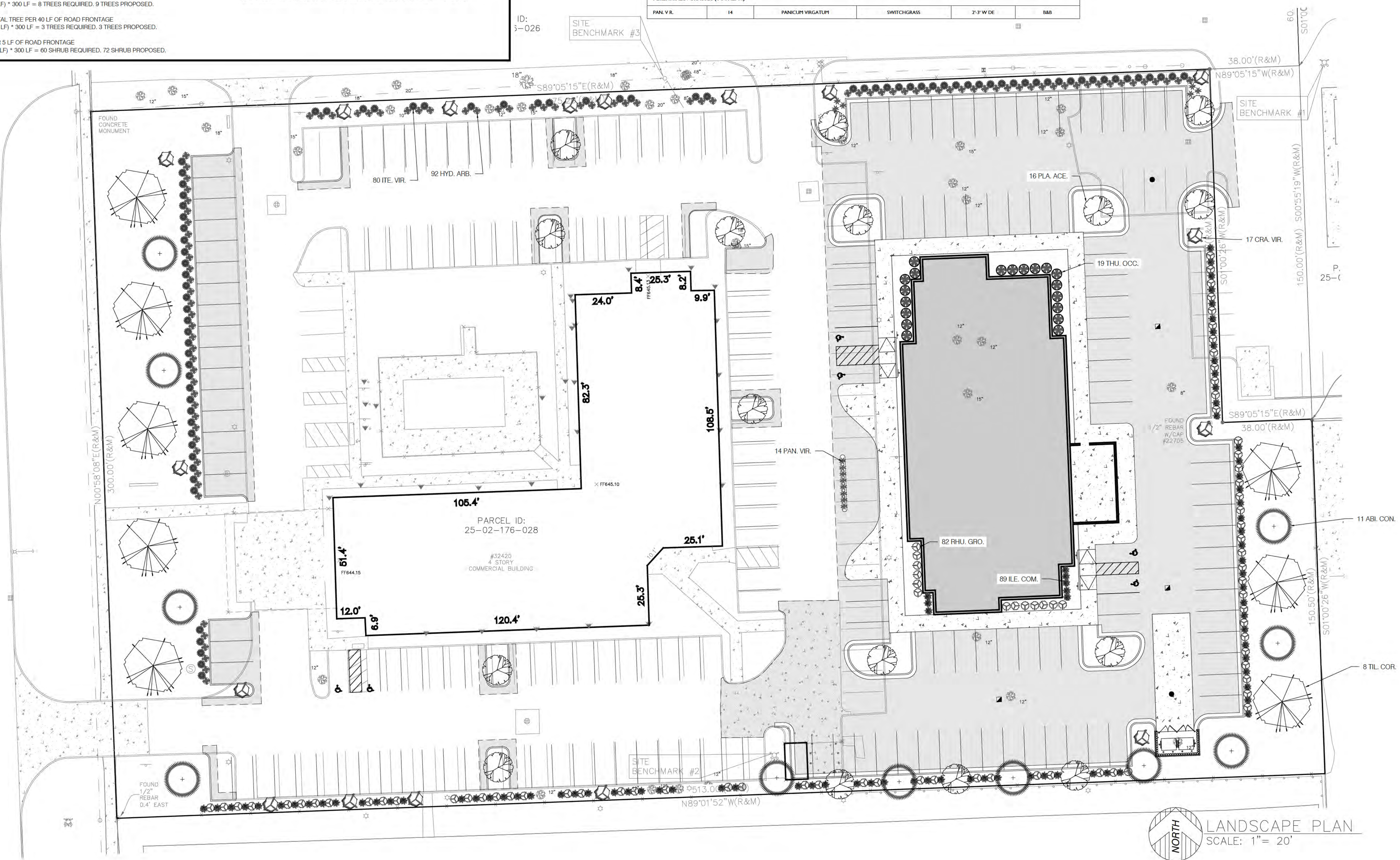
SITE BENCHMARK #3

STEPHENSON HWY  
204' RIGHT OF WAY  
ASPHALT

C3.2 Landscape Plan.dwg

10/10/2025

GregEzzo



**S.M. ENGINEERS**  
CIVIL ENGINEER / SURVEY /  
LAND PLANNER /  
LANDSCAPE ARCHITECT

1939 LINCOLNSHIRE DRIVE,  
ROCHESTER HILLS, MI  
T: 248.835.3553



1	SPA REVIEW	10.08.2025
NO.	SUBMITTAL	DATE

**LIVSMART STUDIOS**  
32420 STEPHENSON HWY,  
MADISON HEIGHTS, MICHIGAN

**LANDSCAPE PLAN**

**C3.2** 25036

GRADING NOTES

1. ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF CITY OF MADISON HEIGHTS AND OAKLAND COUNTY
2. IN AREAS WHERE NEW PAVEMENTS ARE BEING CONSTRUCTED, THE TOPSOIL AND SOIL CONTAINING ORGANIC MATTER SHALL BE REMOVED PRIOR TO PAVEMENT CONSTRUCTION.
3. ON-SITE FILL CAN BE USED IF THE SPECIFIED COMPACTION REQUIREMENTS CAN BE ACHIEVED. IF ON-SITE SOIL IS USED, IT SHOULD BE CLEAN AND FREE OF FROZEN SOIL, ORGANICS, OR OTHER DELETERIOUS MATERIALS.
4. THE FINAL SUBGRADE/EXISTING AGGREGATE BASE SHOULD BE THOROUGHLY PROOF ROLLED USING A FULLY LOADED TANDEM AXLE TRUCK OR FRONT END LOADER UNDER THE OBSERVATION OF A GEOTECHNICAL/ PAVEMENT ENGINEER. LOOSE OR YIELDING AREAS THAT CANNOT BE MECHANICALLY STABILIZED SHOULD BE REINFORCED USING GEOGRIDS OR REMOVED AND REPLACED WITH ENGINEERED FILL OR AS DICTATED BY FIELD CONDITIONS.
5. SUBGRADE UNDERCUTTING, INCLUDING BACKFILLING SHALL BE PERFORMED TO REPLACE MATERIALS SUSCEPTIBLE TO FROST HEAVING AND UNSTABLE SOIL CONDITIONS. ANY EXCAVATIONS THAT MAY BE REQUIRED BELOW THE TOPSOIL IN FILL SECTIONS OR BELOW SUBGRADE IN CUT SECTIONS, WILL BE CLASSIFIED AS SUBGRADE UNDERCUTTING.
6. SUBGRADE UNDERCUTTING, INCLUDING BACKFILLING SHALL BE PERFORMED WHERE NECESSARY AND THE EXCAVATED MATERIAL SHALL BECOME THE PROPERTY OF THE CONTRACTOR. ANY SUBGRADE UNDERCUTTING SHALL BE BACKFILLED WITH SAND OR OTHER SIMILAR APPROVED MATERIAL. BACKFILL SHALL BE COMPACTED TO 95% OF THE MAXIMUM UNIT WEIGHT (PER ASTM D-1557) UNLESS OTHERWISE SPECIFIED.
7. BACKFILL UNDER PAVED AREAS SHALL BE AS SPECIFIED ON DETAILS.
8. ANY SUB-GRADE WATERING REQUIRED TO ACHIEVE REQUIRED DENSITY SHALL BE CONSIDERED INCIDENTAL TO THE JOB.
9. FINAL PAVEMENT ELEVATIONS SHOULD BE SO DESIGNED TO PROVIDE POSITIVE SURFACE DRAINAGE. A MINIMUM SURFACE SLOPE OF 1.0 PERCENT IS RECOMMENDED.
10. CONSTRUCTION TRAFFIC SHOULD BE MINIMIZED ON THE NEW PAVEMENT. IF CONSTRUCTION TRAFFIC IS ANTICIPATED ON THE PAVEMENT STRUCTURE, THE INITIAL LIFT THICKNESS COULD BE INCREASED AND PLACEMENT OF THE FINAL LIFT COULD BE DELAYED UNTIL THE MAJORITY OF THE CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED. THIS ACTION WILL ALLOW REPAIR OF LOCALIZED FAILURE, IF ANY DOES OCCUR, AS WELL AS REDUCE LOAD DAMAGE ON THE PAVEMENT SYSTEM.
11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF MADISON HEIGHTS AND SPECIFICATIONS.
12. SPOT ELEVATIONS INDICATE TOP OF PAVEMENT UNLESS OTHERWISE INDICATED:  
 G = GUTTER GRADE  
 CB = CATCH BASIN GRADE  
 EX = EXISTING GRADE
13. REFER TO LANDSCAPE PLAN FOR LANDSCAPE TREATMENT AND PLACEMENT.

GRADING LEGEND

- × 900.00 EXISTING GRADES
- × 100.00 PROPOSED GRADES
- PROPERTY LINE
- - - PROPOSED RIDGE LINE

# S.M. ENGINEERS

CIVIL ENGINEER/ SURVEY / LAND PLANNER / LANDSCAPE ARCHITECT

1939 LINCOLNSHIRE DRIVE, ROCHESTER HILLS, MI T: 248.835.3553

PARCEL ID: 25-02-176-029

32400 4 STORY COMMERCIAL BUILDING

77645.97

PARC 25-02-

32400 4 STORY COMM. BUILD

77645.27

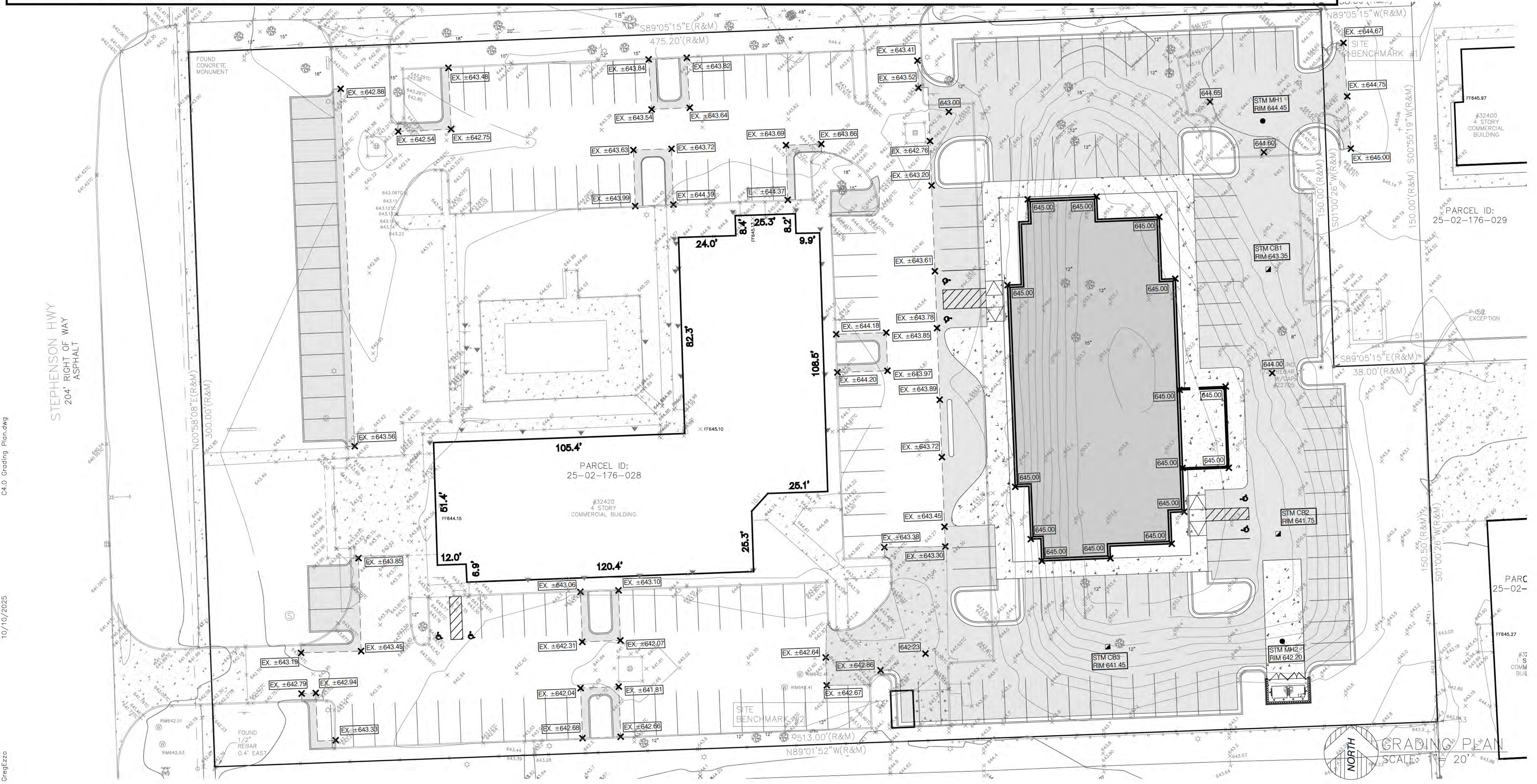
EXCEPTION

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NO.	SUBMITTAL	DATE

**LIVSMART STUDIOS**  
 32420 STEPHENSON HWY,  
 MADISON HEIGHTS, MICHIGAN

## GRADING PLAN

**C4.0** 25036



C4.0 Grading Plan.dwg

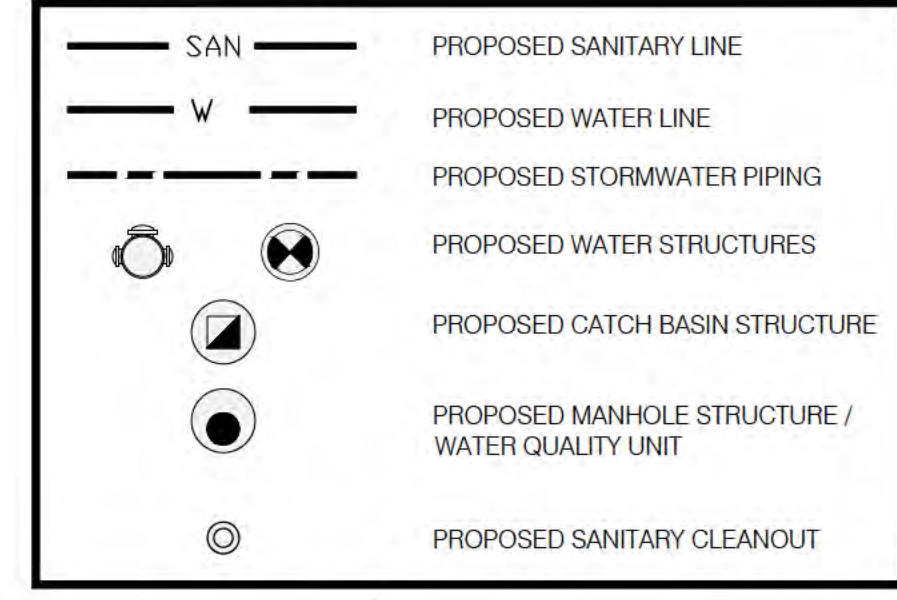
10/10/2025

GregEzzo

GENERAL UTILITY NOTES

1. ALL CONSTRUCTION PROCEDURES AND MATERIALS SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF CITY OF MADISON HEIGHTS A PRE-CONSTRUCTION MEETING SHALL BE SCHEDULED BY CITY OF MADISON HEIGHTS AND HELD PRIOR TO THE START OF CONSTRUCTION.
2. CONTRACTOR MUST CONTACT MISS DIG (811) AT LEAST THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION FOR UNDERGROUND UTILITY LOCATIONS. ALL UTILITIES SHALL BE STAKED BEFORE CONSTRUCTION BEGINS.
3. ALL WATER MAIN EASEMENTS SHALL BE PROVIDED PRIOR TO CONSTRUCTION AND ACCEPTANCE OF THE WATER DISTRIBUTION SYSTEM.
4. WATER MAINS SHALL BE CONSTRUCTED WITH A MINIMUM COVER OF 6 FEET BELOW FINISHED GRADES, INCLUDING OPEN DRAINAGE COURSES.
5. ALL TRENCHES UNDER OR WITHIN A 1:1 RATIO OF EXISTING OR PROPOSED PAVEMENT OR DRIVEWAYS, SHALL BE BACKFILLED WITH COMPACTED CLASS II SAND TO GRADE (95% MAXIMUM UNIT DENSITY).
6. WHERE TWO UTILITIES CROSS, PROVIDE CLASS II BACKFILL MATERIAL IN SIX (6) INCH COMPACTED LAYERS TO TOP HIGHEST UTILITY.
7. WHERE WATER MAINS DIP UNDER OTHER UTILITIES, THE SECTIONS WHICH ARE DEEPER THAN NORMAL SHALL BE CONSTRUCTED WITH 11-1/4" VERTICAL BENDS, 22 1/2" OR 45° BENDS MUST BE RODDED AND PROPERLY ANCHORED.
8. ALL PRECAST CONCRETE GATE WELL SECTIONS SHALL BE IN ACCORDANCE WITH A.S.T.M. C478, STANDARD SPECIFICATIONS FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS. WALL THICKNESS SHALL BE AS SHOWN ON THESE DETAILS. ALL JOINTS FOR PRECAST CONCRETE GATE WELL SECTIONS SHALL BE "MODIFIED GROOVE TONGUE" WITH GASKET MANUFACTURED TO CONFORM WITH A.S.T.M. C443, STANDARD SPECIFICATION FOR JOINTS FOR CIRCULAR CONCRETE SEWER AND CULVERT PIPE USING RUBBER GASKETS.
9. CONTRACTOR SHALL INSTALL VALVES, TAPPING SLEEVES, AND GATE WELL STRUCTURES IN STRICT COMPLIANCE WITH MEASUREMENTS PROVIDED ON SHEET 1 (2'-0" BETWEEN GATE WELL WELL AND CENTERLINE OF OPERATING NUT) TO ALLOW PROPER OPERATION OF VALVE THROUGH GATE WELL OPENING.
10. ALL CROSS-CONNECTION CONTROL DEVICES SHALL BE INSTALLED AS REQUIRED BY THE CITY OF MADISON HEIGHTS PLUMBING INSPECTOR AND IN ACCORDANCE WITH THE STANDARDS OF THE OAKLAND COUNTY DRAIN COMMISSIONER OPERATION AND MAINTENANCE DIVISION AND THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF DRINKING WATER AND RADIOLOGICAL PROTECTION.
11. ALL WATER SERVICE CONNECTIONS TWO (2) INCHES AND SMALLER SHALL BE MADE BY CITY OF MADISON HEIGHTS, DEPARTMENT OF PUBLIC SERVICES AFTER WATER MAIN ACCEPTANCE AND APPLICABLE PERMITS ARE OBTAINED.
12. ALL FITTINGS AND BENDS SHOULD BE BLOCKED IN ACCORDANCE WITH THRUST BLOCK DETAILS, UNLESS ALTERNATE THRUST RESTRAINT SYSTEM, AS INDICATED PLANS AND SPECIFICATIONS, IS APPROVED BY CITY OF MADISON HEIGHTS DEPARTMENT OF PUBLIC SERVICES
13. EASEMENTS FOR ALL UTILITIES TO BE OWNED AND OPERATED BY THE CITY OF MADISON HEIGHTS MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY EASEMENT LEGAL DESCRIPTIONS MUST BE PROVIDED BY THE DEVELOPERS ENGINEER OR SURVEYOR BASED ON AS BUILT MEASUREMENTS

UTILITY LEGEND



**S.M. ENGINEERS**  
 CIVIL ENGINEER/ SURVEY /  
 LAND PLANNER /  
 LANDSCAPE ARCHITECT  
 1939 LINCOLNSHIRE DRIVE,  
 ROCHESTER HILLS, MI  
 T: 248.835.3553

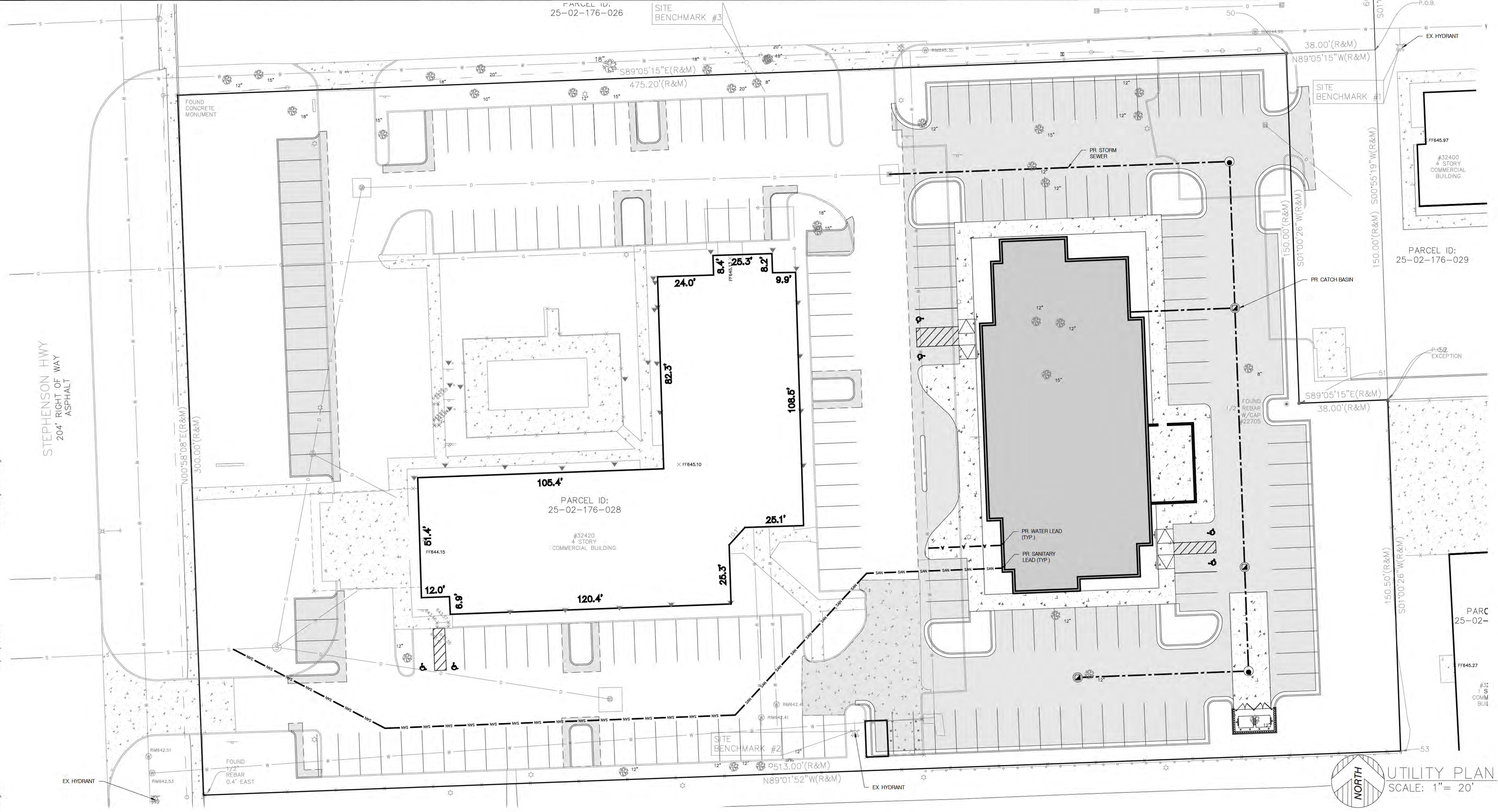


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**LIVSMART STUDIOS**  
 32420 STEPHENSON HWY,  
 MADISON HEIGHTS, MICHIGAN

**UTILITY PLAN**

**C5.0** **25036**



C5.0 Utility Plan.dwg

10/10/2025

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**LIVSMART STUDIOS**  
MADISON HEIGHTS, MICHIGAN

**BOWERS+ASSOCIATES**  
ARCHITECTURE DESIGN



**LIVSMART STUDIOS**  
MADISON HEIGHTS, MICHIGAN

**BOWERS+ASSOCIATES**  
ARCHITECTURE DESIGN



**LIVSMART STUDIOS**  
MADISON HEIGHTS, MICHIGAN

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ARCHITECTURE DESIGN



**LIVSMART STUDIOS**  
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ARCHITECTURE DESIGN



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ARCHITECTURE DESIGN



**LIVSMART STUDIOS**  
MADISON HEIGHTS, MICHIGAN

**BOWERS+ASSOCIATES**  
ARCHITECTURE DESIGN

# Article 10.

## Parking, Loading, and Access Management

### Section 10.01 Intent and General Parking Requirements

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

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

## Section 15.06 Variances and Appeals

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

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

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

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

## Section 15.07 Zoning Ordinance Amendments (Map and Text)

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

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a Meeting of the Madison Heights **Zoning Board of Appeals** will be held in the **City Council Chambers** of the Municipal Building at **300 W. 13 Mile Road**, Madison Heights, Oakland County, Michigan 48071 on **Thursday, March 5th, 2026 at 7:30 p.m.** to consider the following requests:

**1. Case # PZBA 26-02: 32420 Stephenson Highway**

REQUEST: The applicant, Troy Madison Extended Stay, requests a variance from Section 10.01.2.B(4) of the Zoning Ordinance pertaining to the location of off-street parking areas within the Mixed-Use Innovation Districts; the applicant proposes to add parking spaces within a required front yard area. The subject property is located at 32420 Stephenson Highway (TM# 44-25-02-176-028) and is zoned MUI-2, Mixed-Use Innovation 2.

*Item 5.*

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

If you are unable to attend the meeting, you can send your comments via email to: [MattLonnerstater@madison-heights.org](mailto:MattLonnerstater@madison-heights.org) and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

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