



CITY OF MADISON HEIGHTS

ZONING BOARD OF APPEALS AGENDA

March 3rd, 2022, 7:30 P.M.

Council Chambers – City Hall

300 W. 13 Mile, Madison Heights, MI 48071

Notice is hereby 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 **March 3rd, 2022 at 7:30 p.m.** to consider the following requests:

1. Call to Order

2. Roll Call

3. Approval of the Agenda (Additions & Deletions)

4. Approval of Minutes:

- a. December 02, 2021 Zoning Board of Appeals Meeting [LINK](#)

5. New Business:

- a. **Case # PZBA 22-01: 28091 Dequindre Road** [LINK](#)

REQUEST: The applicant, MRJ Sign Company, LLC, requests a variance from Section 10.511(IV)(C)(3) of the Zoning Ordinance pertaining to minimum ground sign setbacks. The subject property is located at 28091 Dequindre Road (tax parcel #44-25-13-279-038) and is zoned O-1, Office.

- b. **Case # PZBA 22-02: 31624 Stephenson Highway** [LINK](#)

REQUEST: The applicant, Emerald Steel Processing, LLC requests a variance from Section 10.511(IV)(C)(4) of the Zoning Ordinance pertaining to maximum wall sign area. The subject property is located at 31624 Stephenson Highway (tax parcel # 44-25-02-328-013) and is zoned M-2, Heavy Industrial.

- c. **Case # PZBA 22-03: 29472 Milton Avenue** [LINK](#)

REQUEST: The applicant, Angela Rondan, requests a variance from Section 10.401 of the Zoning Ordinance pertaining to maximum lot coverage. The subject property is located at 29472 Milton Avenue (tax parcel # 44-25-12-405-002) and is zoned R-3, One Family Residential.

6. Officer Elections: Chair and Vice Chair

7. Public Comment: For items not listed on the agenda

8. Adjournment

If you are unable to attend the meeting, you can send your comments via email at: MaryDaley@Madison-Heights.org and your comment will be read 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.

Zoning Board of Appeals
Regular Meeting
Madison Heights, Michigan
December 2, 2021

A Regular Meeting of the Madison Heights Zoning Board of Appeals was called to order by Chairman Kimble on December 2, 2021 at 7:30 p.m. in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chair Kimble and members: L. Corbett, R. Corbett, Holder, Kehoe, Marentette and Oglesby

Absent: Kirchoff and Thompson

Also Present: Assistant City Attorney Burns, City Planner Lonnerstater, and Clerk of the Board Boucher.

All votes taken at today's meeting are roll call votes.

21- 42. Approval of the Agenda.

Motion by Ms. Kehoe, seconded by Vice-Chair Oglesby, to approve the agenda.

Yeas: R. Corbett, Holder, Kehoe, Marentette, Oglesby, L. Corbett and Kimble

Nays: None

Absent: Kirchoff and Thompson

Motion Carried.

21- 43. Minutes

Motion by Mayor Pro Tem Corbett, seconded by Ms. Kehoe, to adopt the minutes of the Regular Meeting held on November 4, 2021 as printed.

Yeas: Holder, Kehoe, Marentette, Oglesby, L. Corbett, R. Corbett and Kimble

Nays: None

Absent: Kirchoff and Thompson

Motion Carried.

21- 44. Approval of 2022 Meeting Calendar

Motion by Ms. Kehoe, seconded by Vice-Chair Oglesby, to approve the 2022 Meetings Schedule of the Madison Heights Zoning Board of Appeals as proposed by staff for the dates of January 6, February 3, March 3, April 7, May 5, June 2, July 7, August 4, September 1, October 6, November 3, December 1 to be held at 7:30 pm with the scheduling of each meetings being contingent on there being an agenda item for review or action by the body.

Yeas: Kehoe, Marentette, Oglesby, L. Corbett, R. Corbett, Holder and Kimble

Nays: None

Absent: Kirchoff and Thompson

Motion Carried.

21- 45. Public Comment: For items not listed on the agenda

Seeing no one wished to comment, Chair Kimble opened and closed the public comment at 7:36 p.m.

21- 46. Adjournment.

Motion by Ms. Holder, seconded by Vice-Chair Oglesby, to adjourn the meeting.

Yeas: Marentette, Oglesby, L. Corbett, R. Corbett, Holder, Kehoe and Kimble

Nays: None

Absent: Kirchoff and Thompson

Motion Carried.

There being no further business, Chair Kimble, adjourned the meeting at 7:37 pm.

Phommady A. Boucher
Clerk of the Board



MEMORANDUM

Date: February 25, 2022
To: City of Madison Heights Zoning Board of Appeals
From: Matt Lonnerstater, AICP – City Planner
Subject: Sign Setback Variance (Ground Sign)
PZBA 22-01; 28091 Dequindre Road.

REQUEST

The applicant, *MRJ Sign Company, LLC*, requests a variance from the minimum ground sign setback requirement of **Section 10.511(IV)(C)(3)**. The subject property is located at 28091 Dequindre Road and is zoned O-1, Office district.

Per Section 10.511(IV)(C)(3), ground signs within the O-1, Office, zoning district shall be set back a minimum of one-half the setback of the building. The existing building is set back 19 feet from the property line, requiring a minimum ground sign setback of 9 feet 6 inches. As proposed, the front edge of the ground sign would be set back approximately 5 feet 9 inches from the property line, resulting in a variance request of **3 feet 9 inches**.

The applicant proposes to remove an existing ground sign to accommodate the new sign. The existing sign is non-conforming as it is placed only 5 feet from the property line. At 5 feet 9 inches, the setback of the proposed sign is greater than that of the existing sign, thus decreasing the non-conformity. The proposed sign is 8 feet tall and 48 square feet in area, satisfying maximum dimensional standards for the O-1 district.

VARIANCE FINDINGS

Section 10.804(2) outlines criteria for reviewing variance requests, summarized below with staff comments:

- ***Exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property.***

Staff Finding: Staff finds that legal sign placement on the property is fairly limited due to the shallow building setback (19 feet) and a building design that features sunken daylight windows. If the proposed sign was required to meet the minimum setback requirement, its rear edge would be placed only 1 foot 6 inches from the face of the building.

- ***The strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property,***

provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.

Staff Finding: Upon analysis of this segment of Dequindre Road, staff finds that many nearby properties feature ground signs built within the required setback area. Staff finds that approval of the requested sign setback dimensional variance would grant the property owner a property right similar to that possessed by other adjacent sites and would not result in a substantial detriment to the public good. Further, staff finds that the requested variance, if granted, would not impair the intent and purposes of the Zoning Ordinance and would decrease the existing non-conformity on site.

Additional standards for reviewing variance cases are contained in Section 10.805, listed at the end of this report.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC considered the variance request at their January 26th, 2022 meeting and stated no objections.

ZBA ACTION

Any ZBA motion should include findings of fact relating to the variance criteria listed in Sections 10.804(2) and 10.805. In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance.

CODE REFERENCES

Sec. 10.804. - Power of zoning board of appeals.

(2) Variance. To authorize upon an appeal, a variance from the strict applications of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this Ordinance. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance. In granting a variance, the board shall state the grounds upon which it justifies the granting of a variance.

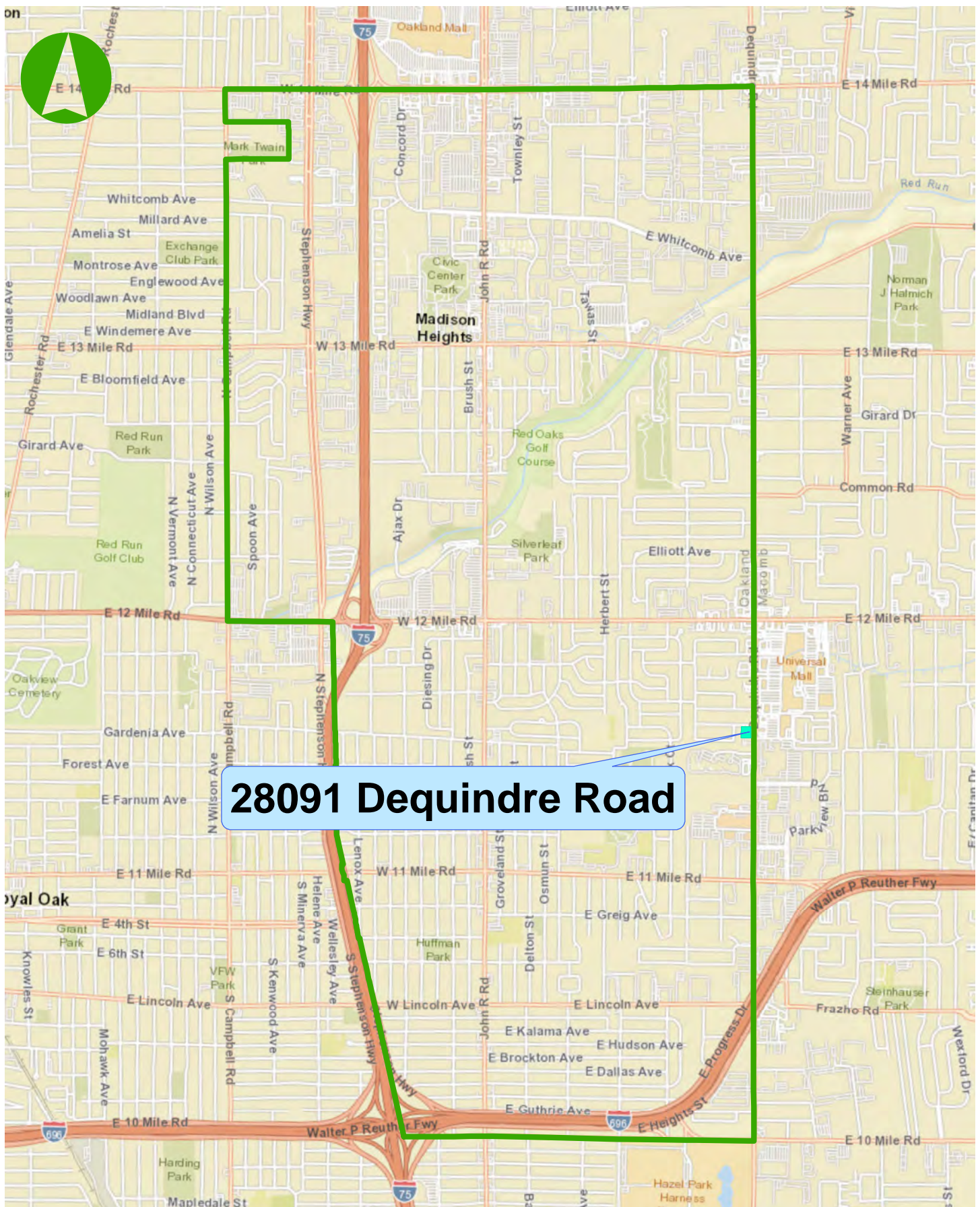
Sec. 10.805. - Standards.

Each case before the city council, zoning board of appeals or plan commission shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such case. All uses as listed in any district requiring approval for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be

detrimental to the orderly development of adjacent districts. Consideration shall be given to the following:

- 1) The location and size of the use.*
- 2) The nature and intensity of the operations involved in or conducted in connection with it. (See section 10-319(4).)*
- 3) Its size, layout and its relation to pedestrian and vehicular traffic to and from the use.*
- 4) The assembly of persons in connection with it will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood.*
- 5) Taking into account, among other things, convenient routes of pedestrian traffic, particularly of children.*
- 6) Vehicular turning movements in relation to routes of traffic flow, relation to street intersections, site distance and the general character and intensity of development of the neighborhood.*
- 7) The location and height of buildings, the location, the nature and height of walls, fences and the nature and extent of landscaping of the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.*
- 8) The nature, location, size and site layout of the uses shall be such that it will be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and related characteristics.*
- 9) The location, size, intensity and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses, not interfere with an adequate supply of light and air, not increase the danger of fire or otherwise endanger the public safety.*

ZBA CASE: 22 - 01



Site Address: 28091 Dequindre Road



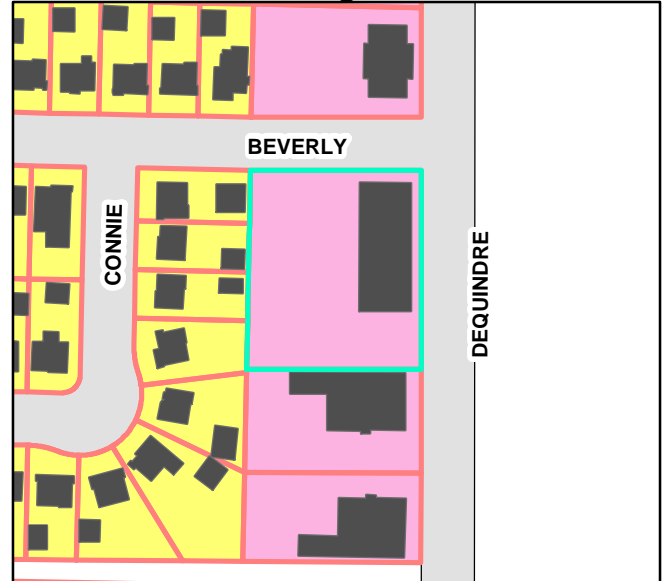
[Click for map](#)

Aerial



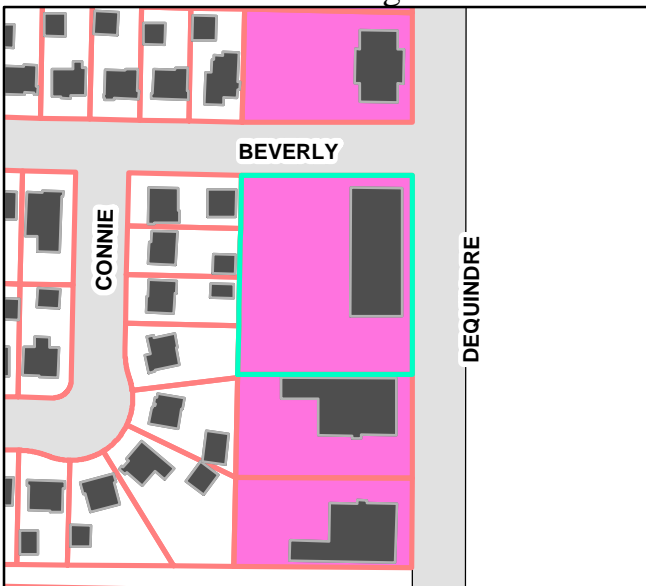
- 28091 Dequindre Rd
- Parcels

Existing Land Use



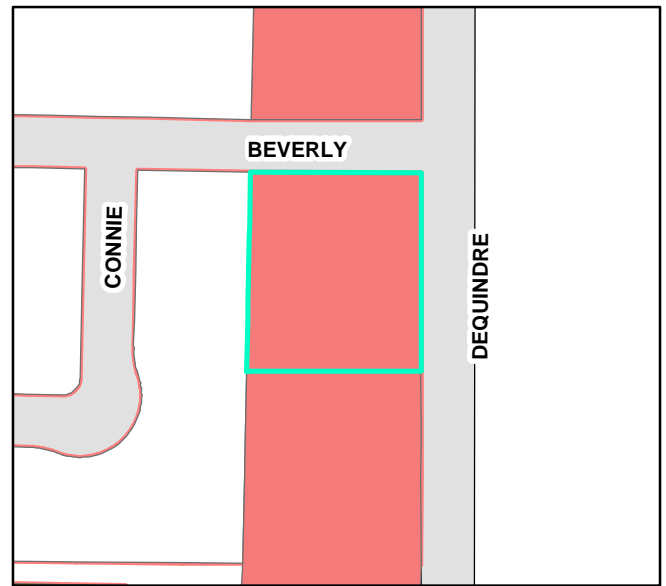
- 28091 Dequindre Rd
- Buildings
- Parcels
- Vacant
- Single And Two Family
- Office
- Commercial
- Industrial
- Public

Zoning



- 28091 Dequindre Rd
- Buildings
- Parcels
- R-3 Residential
- O-1 Office
- B-2 Planned Business
- H-R High Rise

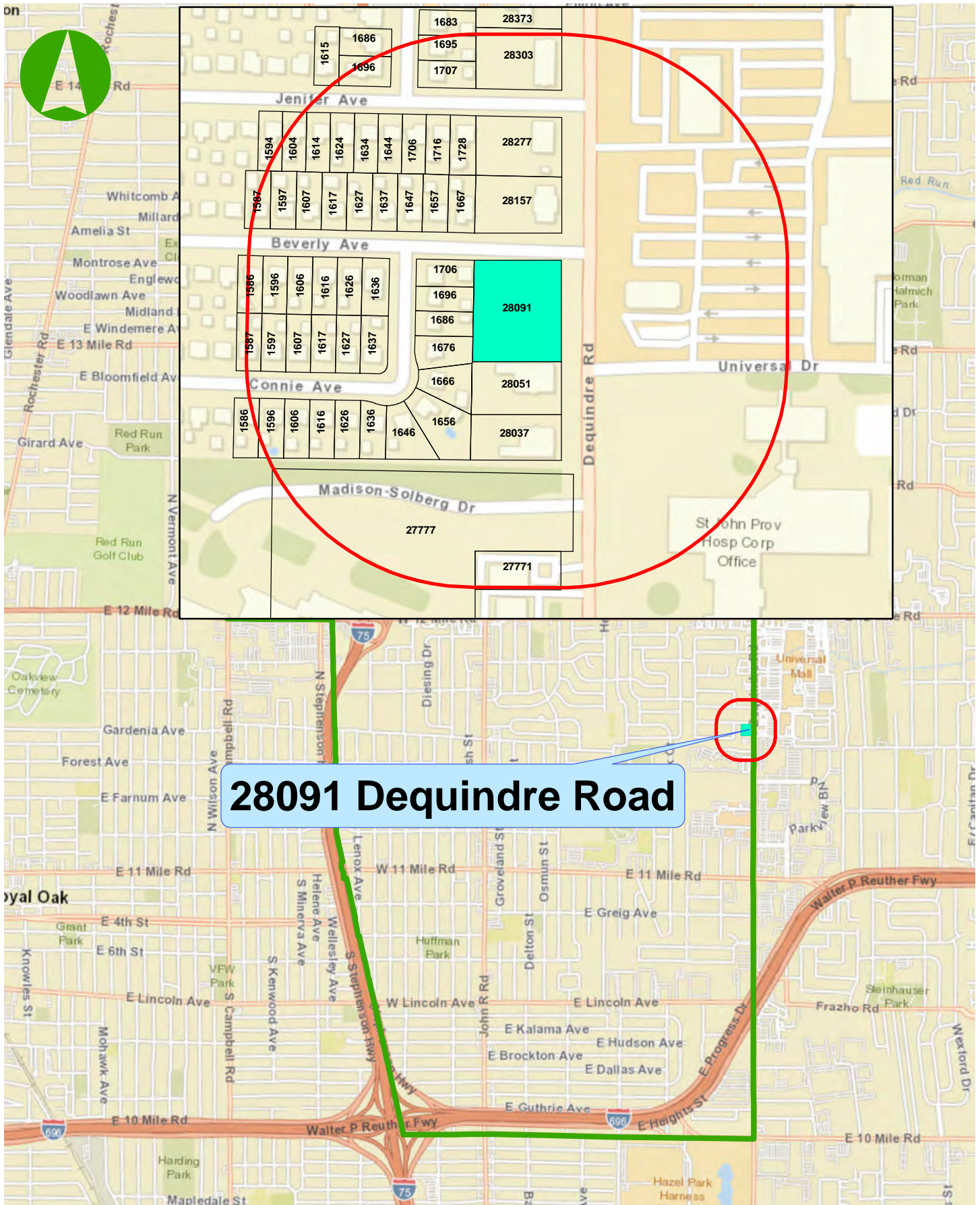
Future Land Use



- 28091 Dequindre Rd
- Single Family
- Multiple Family
- Office
- Commercial
- Industrial
- Public and Schools
- Recreation
- Conservation
- Mixed Use Innovation

ZBA CASE: 22 - 01

BUFFER 500FT





CITY OF MADISON HEIGHTS ZONING BOARD OF APPEALS APPLICATION

Application No.:

P2BA22001

Date Filed:

1-10-22

(This application must be typed)

SUBMIT TWO ORIGINAL COPIES

1. **Petitioner:** Name: MRJ SIGN COMPANY LLC - MARK R. JOHNSON
Address: 256 NARRIN STREET
City: ORTONVILLE State: MI Zip: 48462
Telephone: CELL # (248) 521-2431 Fax: NOT APPLICABLE
Email: MARK@MRJSIGN.COM
2. **Petitioner's Interest in Property:** SIGN CONTRACTOR UNDER CONTRACT TO DO THE SIGN
3. **Property Owner:** (Attach list if more than one owner)
Name: ZCOMPANY INVESTMENT HP CHRYSLER DRIVE LLC
Address (Street): P.O. BOX 2137
City: BIRMINGHAM State: MI Zip: 48012
Telephone: DR. JONATHAN ZAIDAN - CELL # (248) 872-7786
Email: JKMZC@SBCGLOBAL.NET
4. **Property Description:**
Address: 28091 DEQUINDRE ROAD, MADISON HEIGHTS, MI 48071
Tax Parcel #: 44 - 25 - 13 - 279 - 038
Legal Description - Attach if metes and bounds description.
If in a subdivision: Lot #: # 76, 77 & 78
Subdivision name: BEAUTY BUILT MANOR
Lot size: 225' X 193' ALL THREE LOTS COMBINED
Size of proposed building or addition: NOT APPLICABLE
5. **Present Zoning of Property:** OFFICE O-1 **Present Use:** MULTI-TENANT OFFICE BUILDING
6. **Action Requested:** (Check the appropriate section and attach response on separate sheets)
☐ **APPEAL OF AN ADMINISTRATIVE DECISION (Administrative Review)**
The applicant requests the Board of Appeals to reverse/modify the _____
decision/interpretation of Article _____, Section _____. The decision should be
reversed/modified because: (On a separate sheet describe in detail the nature of the problem, the
reason for the request and the desired remedy)

ZONING BOARD OF APPEALS APPLICATION

Application No.:

P2BA22-0001

Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature _____

Printed Name **DR. JONATHAN ZAIDAN - MEMBER**
ZCOMPANY INVESTMENT HP CHRYSLER DRIVE LLC
 Date 01/10/2022

FOR THE APPLICANT IF NOT THE OWNER:

Signature _____

Printed Name **MARK R. JOHNSON - MANAGING**
DIRECTOR - MRJ SIGN COMPANY LLC
 Date 01/10/2022

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant ☐ Owner ☒

ATTACHED HERETO, AND MADE PART OF THIS APPLICATION, ARE THE FOLLOWING: (All required items must be submitted with this application)

- ☐ 1. Two copies of drawings of Site Plan (no larger than 11"x 17") drawn to scale and containing all necessary dimensions and all features involved in this appeal, including measurements showing open space on abutting properties.
- ☐ 2. Dimensioned elevations of all buildings involved in the requested variance.
- ☐ 3. All required responses to above items.
- ☐ 4. Building permit application if applicable.
- ☐ 5. Letter of authority if applicable
- ☐ 6. Applicable fees:

A. Variance Review (Single Family)	\$300.00
B. Variance Review (Dimensional)	\$400.00 plus \$300 per variance
C. Use Variance Review	\$1,000.00

OFFICE USE ONLY

APPROVALS

Approved for hearing by City Attorney _____

Approved for hearing by C.D.D. _____

Reviewed by Site Plan Committee _____

INTER-DEPARTMENTAL NOTIFICATION

Community Development Department _____

Fire Department _____

Department of Public Services _____

ZONING BOARD OF APPEALS

FEE: \$ _____

APPROVED: _____

PAID: _____

DENIED: _____

RECEIPT NO. _____

A. Clearly explain the variance desired and how the proposed building and/or use are contrary to the Zoning Ordinance. To allow an otherwise conforming freestanding ground sign, square footage and maximum height, to be located at a 5' setback from the property line where a 9' 6" setback is required and or one half of the setback of the building, requiring a 4' 6" setback variance.

B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.) The building is setback only 19' from the property line and or 20' from the rear edge of the public sidewalk and has daylight style windows for the first floor of the building, which is sunk a half story into the ground. This is the result of the building being located at the front half of the property with the parking lot located on the rear half of the property, which is the same building / parking lot property orientation as the next couple of parcels to both the North and the South.

C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district. Numerous properties to both the North and South appear to have freestanding ground signs located at the same approximate setback as we are proposing specifically the freestanding ground sign of the neighboring parcel to the South at 28051 Dequindre Road.

D. Did the special conditions and/or circumstances result from your actions? No as the sign ordinance was revised after the property was developed adding the setback requirement of one half of the setback of the building. As well more recently developed properties, some of which are further to the North and South have the building / parking lot orientations reversed so that there is sufficient area to locate a proposed freestanding ground sign that would meet the ordinance.

E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want? Unfortunately no, as locating a freestanding ground sign at the required 9' 6" setback would result in the rear edge of the sign being only 1' 6" from the actual building. Yes as the proposed freestanding ground sign is in the same location with the same setback as the existing freestanding ground sign, which will be removed.

F. Will granting the variance change the essential character of the area? NO as there are numerous freestanding ground signs to both the North and South that are at the same approximate setback as our proposed freestanding ground sign. Specifically the freestanding ground sign of the neighboring parcel to the South at 28051 Dequindre Road.



256 NARRIN STREET
ORTONVILLE, MI 48462

OFFICE (248) 793-3391
FAX (248) 793-3396

January 10, 2022

City of Madison Heights – Planning Department
Mr. Matt Lonnerstater, AICP – City Planner
300 West Thirteen Mile Road
Madison Heights, Michigan 48071

Regarding: Dequindre Office Plaza
Parcel # 25-13-279-038
28091 Dequindre Road
Madison Heights, Michigan 48071

Mr. Lonnerstater,

Please find enclosed Two (2) original signature copies of the City of Madison Heights Zoning Board of Appeals Application with an attachment answering the Six (6) Variance Questions for the above referenced location. These applications are signed by me as the applicant and by Dr. Jonathan Zaidan as Member of the ZCompany Investment Chrysler Drive LLC the entity that now owns the Dequindre Office Plaza.

Also enclosed are Two (2) sets of color shop drawings for this appeal. Each set of drawings consist of a code info drawing, existing sign and proposed sign drawing, fabrication detail drawing, foundation and support steel drawing, partial aerial plan drawing and full parcel aerial plan drawing.

Attached is our check # 6803 in the sum of \$700.00 to cover the application fee.

It is my understanding that my by making submission today we should be able to be placed on the agenda for the upcoming Zoning Board of Appeals meeting to be held on Thursday February 3, 2022 at 7:30 P.M.

As well I will email to you tomorrow morning a digital copy of this complete submission for your use in this variance request.

If you have any questions on the above or enclosed please feel free to either call me on my cell, (248) 521-2431, or email me at Mark@MRJSign.com as I am currently working from home for health reasons.

Thanks,

Mark R. Johnson – Managing Director
MRJ Sign Company LLC

We don't just build signs... We build business!



MRJ SIGN
COMPANY LLC

WWW.MRJSIGN.COM

WE DON'T JUST BUILD SIGNS...WE BUILD BUSINESS!

OFFICE # 248-793-3391 FAX # 248-793-3396

256 NARRIN STREET, ORTONVILLE, MICHIGAN 48462

THIS SHOP DRAWING IS SUBMITTED FOR APPROVAL & REMAINS THE EXCLUSIVE PROPERTY OF MRJ SIGN COMPANY, LLC UNTIL THE DESIGN & SIGN PROJECT ARE PURCHASED BY THE CUSTOMER.

Scale 3/4" = 1'

ZCOMPANY INVESTMENT HP
CHRYSLER DRIVE LLC

Dr. Jonathan Zaidan - Member

email address: jkmzc@sbcglobal.net

Cell # (248) 872-7786

Billing Address: P.O. Box 2137
Birmingham, Michigan 48012

Job Site Address:
28091 Dequindre Road
Madison Heights, Michigan

CODE INFORMATION: PARCEL # 25-13-279-038; ZONED O-1; OFFICE DISTRICT: Each development shall be permitted one ground sign. No sign may exceed 8' in maximum height. The ground sign must be setback a minimum of one half of the setback of the building. A ground sign is not to exceed 0.50 square foot per each lineal foot of lot frontage to a maximum of 48 square feet. The parcel has 225' of lot frontage allowing the maximum sign area of 48 square feet. The building is setback approximately 19' from the property line, requiring a 9' 6" setback for the new ground sign.

PROPOSED SIGN: Sign is 6' tall overall x 8' long overall or 48 square feet. Sign is 8' from top of sign to grade. Sign to be setback 5' 9" from the property line.

VARIANCE REQUIRED: A 3' 9" setback variance is required to allow a ground sign to be setback 5' 9" from the property line. The existing sign is setback 5' from the property line, as is the sign of the neighboring parcel to the South. The proposed sign will come closer to conformity than the existing sign is.



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Madison Heights, Michigan

Scale 3/4" = 1'



EXISTING SIGN



PROPOSED SIGN



Scale 3/4" = 1'

FABRICATION NOTES: ILLUMINATED MONUMENT SIGN with CLADDED BASE

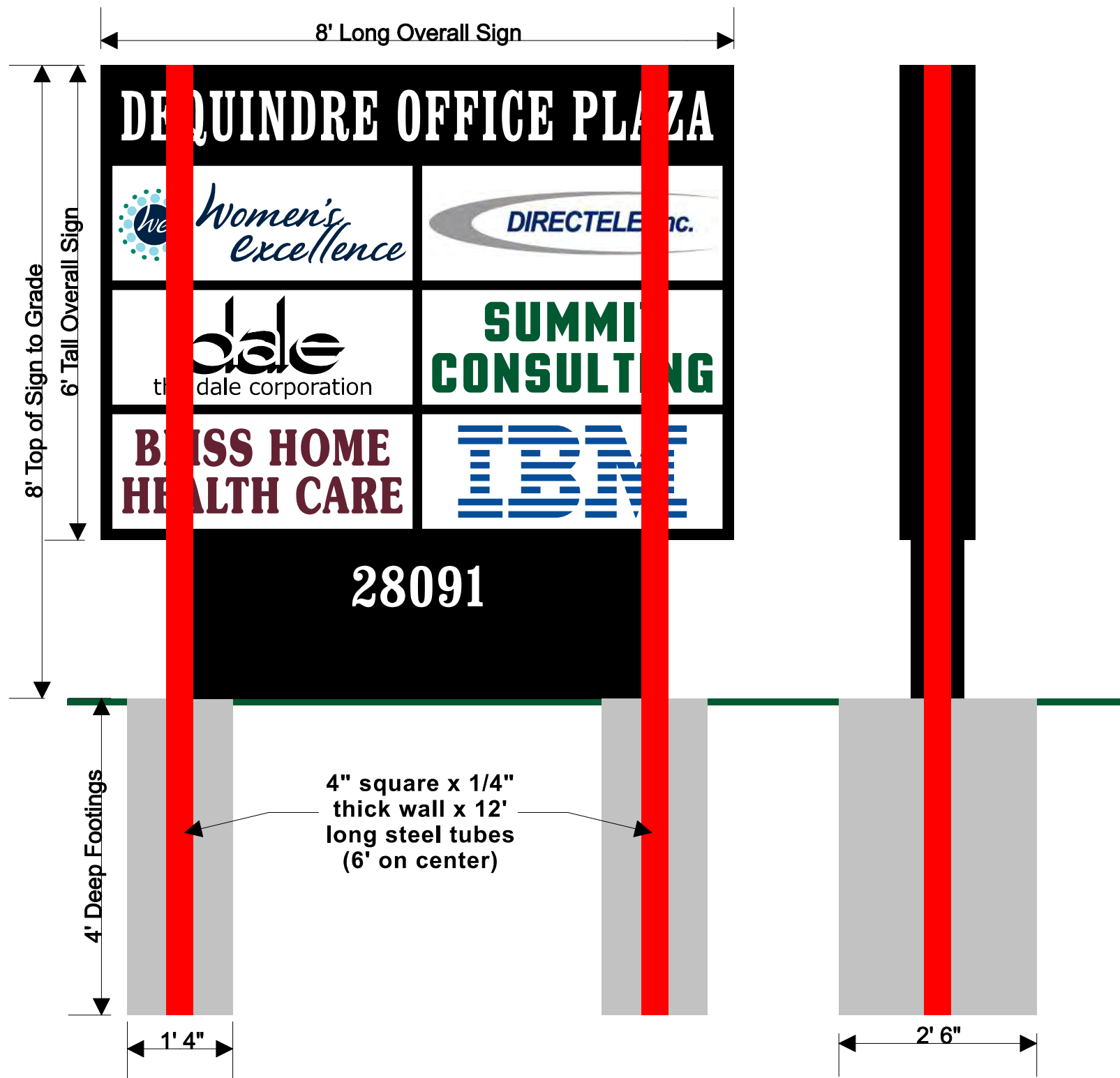
- 1 - EXTRUSION - Sign cabinet to be a 1/8" thick aluminum extrusion system with 1 3/4" slide style retainers and 1 1/2" ID dividers. Sign cabinet to be 11.5" deep.
- 2 - FACES - To be 3/16" thick White Lexan solar grade polycarbonate plastic.
- 3 - VINYL - Faces to have computer cut Oracal 651 series high gloss vinyl # 070 Black and 8500 series translucent vinyls applied to the first surface.
- 4 - LED - Illuminated by eight double sided 72" ± long Principal LED light sticks (12" on center / 20 modules per stick) and two 60 watt 12 VDC power supplies.
- 5 - PAINTING - Sign cabinet, retainers and ID dividers to be primed and painted Sherwin Williams industrial enamel, Tricorn Black.
- 6 - ELECTRICAL - A box (with disconnect switch) to be placed on the building side of the cladding. Existing sign circuit to be re-routed from existing sign or from possible location on building wall to new sign location.
- 7 - STEEL - Sign installed over two 4" square x 1/4" thick wall x 12' long steel tubes. (6' on center)
- 8 - FOUNDATIONS - Each to be 2' 6" wide x 1' 4" long x 4' deep solid concrete. (6' on center) 1 cu yd total.
- 9 - CLADDING - Fabricated of Black .040 aluminum or 3 MM Black Alupanel (depending on availability). Cladding to be 2' tall x 6 - 8" wide x 6' 4" long. Address to be computer cut Oracal 651 series high gloss vinyl # 010 White applied to the first surface.



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 email address: jkmzc@sbcglobal.net
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 Birmingham, Michigan 48012

Job Site Address:
 28091 Dequindre Road
 Madison Heights, Michigan



● SECTION MODULUS FORMULA FOR FOUNDATIONAL SUPPORTS:

$$\frac{\text{height of sign} \times \text{width of sign} \times \text{center of sign to grade} \times \text{windload} \times 15.04}{\text{stress load} \times \text{number of supports}} = \text{section modulus}$$

● SECTION MODULUS CALCULATION FOR FOUNDATIONAL SUPPORTS OF THIS SIGN

$$\frac{6' \times 8' \times 5' \times 30 \times 15.04}{36000 \times 2} = 1.504$$

* The section modulus required for each foundational steel support tube for the sign cabinet is 1.504

$\frac{a^4 - b^4}{6a}$

* Foundational steel tubes are 4" square x 1/4" thick wall each and have a section modulus of 8.09 based on the formula to the left.

$$\frac{4^4 - 3.50^4}{6 \times 4} = 4.41$$

● FOUNDATION FORMULA:

$$\frac{\text{width of sign} \times \text{height of sign} \times \text{center of sign to grade} \times \text{pounds per square foot}}{2000 \times \text{depth of foundation}} = \text{cubic yards} \times 27 = \text{cubic feet}$$

Formula is derived from maximum wind of 100 miles per hour

● FOUNDATION CALCULATIONS FOR THIS SIGN:

$$\frac{8' \times 6' \times 5' \times 24}{2000 \times 4} = 0.72 \text{ cu yds or } 19.44 \text{ cu ft}$$

* The concrete required per wind load for this sign is 0.72 cubic yards or 19.44 cubic feet.

* Each footing is 2' 6" long x 1' 4" wide X 4' deep solid concrete or 13.33 cubic feet each or 26.67 cubic feet total or .99 cubic yards of concrete..



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MRJ SIGN
COMPANY LLC
WWW.MRJSIGN.COM

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Birmingham, Michigan 48012

Job Site Address:
28091 Dequindre Road
Madison Heights, Michigan



MEMORANDUM

Date: February 25th, 2022
To: City of Madison Heights Zoning Board of Appeals
From: Matt Lonnerstater, AICP – City Planner
Subject: Sign Area Variance (Wall Sign)
PZBA 22-02; 31624 Stephenson Highway

REQUEST

The applicant, *Emerald Steel Processing, LLC*, requests a variance from the maximum wall sign area requirement of Section 10.511(IV)(C)(4). The subject property is located at 31624 Stephenson Highway and is zoned M-2, Heavy Industrial.

Per Section 10.511(IV)(C)(4), M-1 zoned properties are permitted a maximum wall sign area of 1.5 square-feet per each lineal feet of building frontage, not to exceed a total sign area of 100 square-feet. The 100 square-foot maximum area includes wall signs on all sides of the building. An existing 185 square-foot sign is located on the west building façade. The applicant proposes to install one (1) additional 218 square-foot illuminated sign on the east façade adjacent to I-75, bringing the total wall sign area to 403 square feet. As such, the applicant requests a total variance of 303 square feet. The variance request is summarized in the table, below:

Maximum Wall Sign Area	100 sq. ft. (all signs combined)
Existing Wall Sign Area (west façade)	185 sq. ft.
Proposed Wall Sign Area (east façade)	218 sq. ft.
Total Wall Sign Area (existing and proposed)	403 sq. ft.
Variance Request	303 sq. ft.

STAFF ANALYSIS

Based on the building length (226 feet), the applicant would be permitted a wall sign area of 339 square feet were it not for the 100 square foot cap. Further, staff notes that businesses within the city's least-intense commercial district (B-1 – Local Business) are permitted signs up to a maximum of 600 square feet, as opposed to a 100 square foot maximum in the M-1 district. The Zoning Ordinance does not contain special sign standards or flexibility for properties with frontage on interstate highways.

The Community and Economic Development Department has initiated a comprehensive zoning ordinance rewrite project. As part of this project, the City may consider a text amendment to grant additional signage allowances for properties fronting interstate highways.

VARIANCE FINDINGS

Section 10.804(2) outlines criteria for reviewing variance requests, summarized below with staff comments:

- ***Exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property.***

Staff Finding: While the subject building has a Stephenson Highway address, it is set back over 650 feet from the Stephenson right-of-way. Further, the building is separated/blocked from Stephenson Highway by another building on a separate lot, warranting the existing sign on the western building façade. Per the applicant, the existing and proposed wall signs are needed for wayfinding purposes due to the building's unique setback along Stephenson Highway and frontage along I-75.

- ***The strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.***

Staff Finding: Staff finds that the requested variance may be granted without substantial detriment to the public good.

Additional standards for reviewing variance cases are contained in Section 10.805, listed at the end of this report.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC considered the variance request at their February 9th, 2022 meeting and stated no objections.

ZBA ACTION

Any ZBA motion should include findings of fact relating to the variance criteria listed in Sections 10.804(2) and 10.805. In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance.

CODE REFERENCES

Sec. 10.804. - Power of zoning board of appeals.

(2) Variance. To authorize upon an appeal, a variance from the strict applications of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this

Ordinance. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance. In granting a variance, the board shall state the grounds upon which it justifies the granting of a variance.

Sec. 10.805. - Standards.

Each case before the city council, zoning board of appeals or plan commission shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such case. All uses as listed in any district requiring approval for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. Consideration shall be given to the following:

- 1) The location and size of the use.*
- 2) The nature and intensity of the operations involved in or conducted in connection with it. (See section 10-319(4).)*
- 3) Its size, layout and its relation to pedestrian and vehicular traffic to and from the use.*
- 4) The assembly of persons in connection with it will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood.*
- 5) Taking into account, among other things, convenient routes of pedestrian traffic, particularly of children.*
- 6) Vehicular turning movements in relation to routes of traffic flow, relation to street intersections, site distance and the general character and intensity of development of the neighborhood.*
- 7) The location and height of buildings, the location, the nature and height of walls, fences and the nature and extent of landscaping of the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.*
- 8) The nature, location, size and site layout of the uses shall be such that it will be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and related characteristics.*
- 9) The location, size, intensity and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses, not interfere with an adequate supply of light and air, not increase the danger of fire or otherwise endanger the public safety.*

Matt Lonnerstater

From: Rebecca Scott <r.scott@scott-itoh.com>
Sent: Monday, February 14, 2022 1:21 PM
To: Matt Lonnerstater
Subject: Case #PZBA 22-02: 31624 Stephenson Hwy.

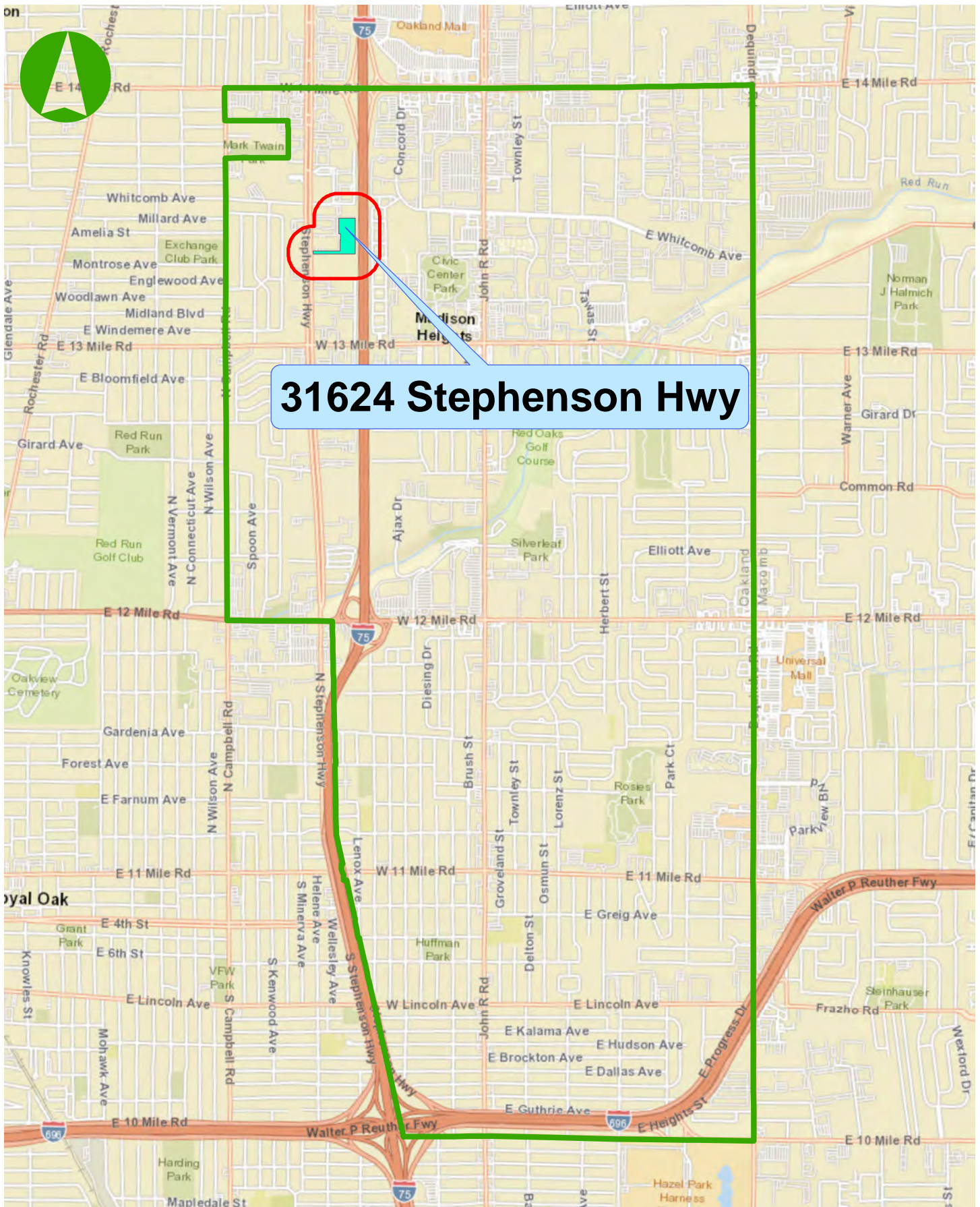
Hi,

We are next door neighbors to Emerald Steel. We have no problem with them putting up signs. They have always been easy to deal with and have always contacted us if they are doing anything that may impact us and are very careful of their surroundings and take great pride in their buildings and property. I am sure that their project will be a great improvement to the community and property values.

Sincerely,

Rebecca Lee Scott, CFO
31690 Stephenson Hwy.
Madison Heights, MI 48071
(248) 585-5385 Ext. 102

ZBA CASE: 22 - 02



Site Address: 31624 Stephenson Hwy

[Click for map](#)



Aerial



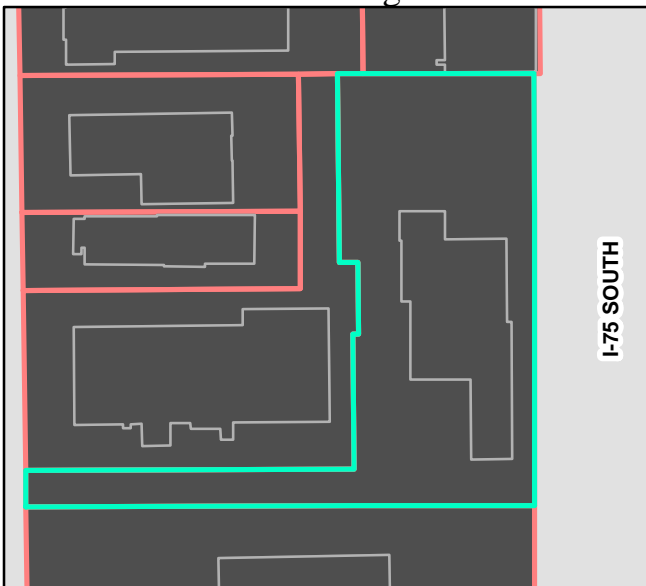
- 31624 Stephenson Hwy
- Parcels

Existing Land Use



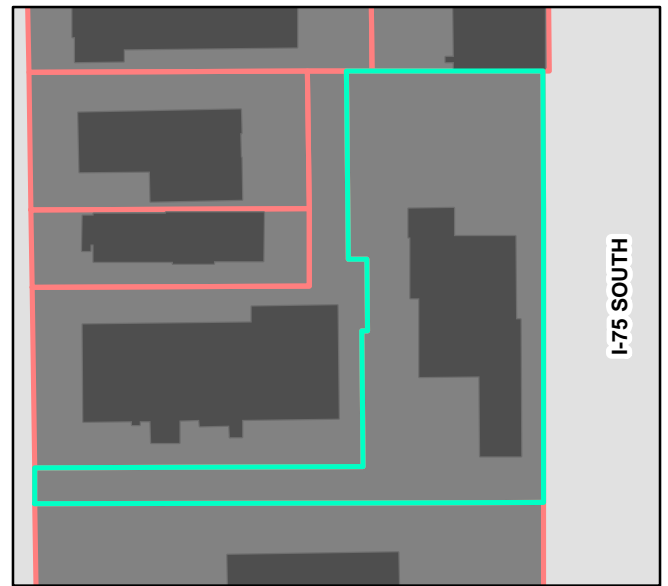
- 31624 Stephenson Hwy
- Buildings
- Parcels
- Vacant
- Single And Two Family
- Office
- Commercial
- Industrial
- Public

Zoning



- 31624 Stephenson Hwy
- Buildings
- Parcels
- M-2 Heavy Industrial

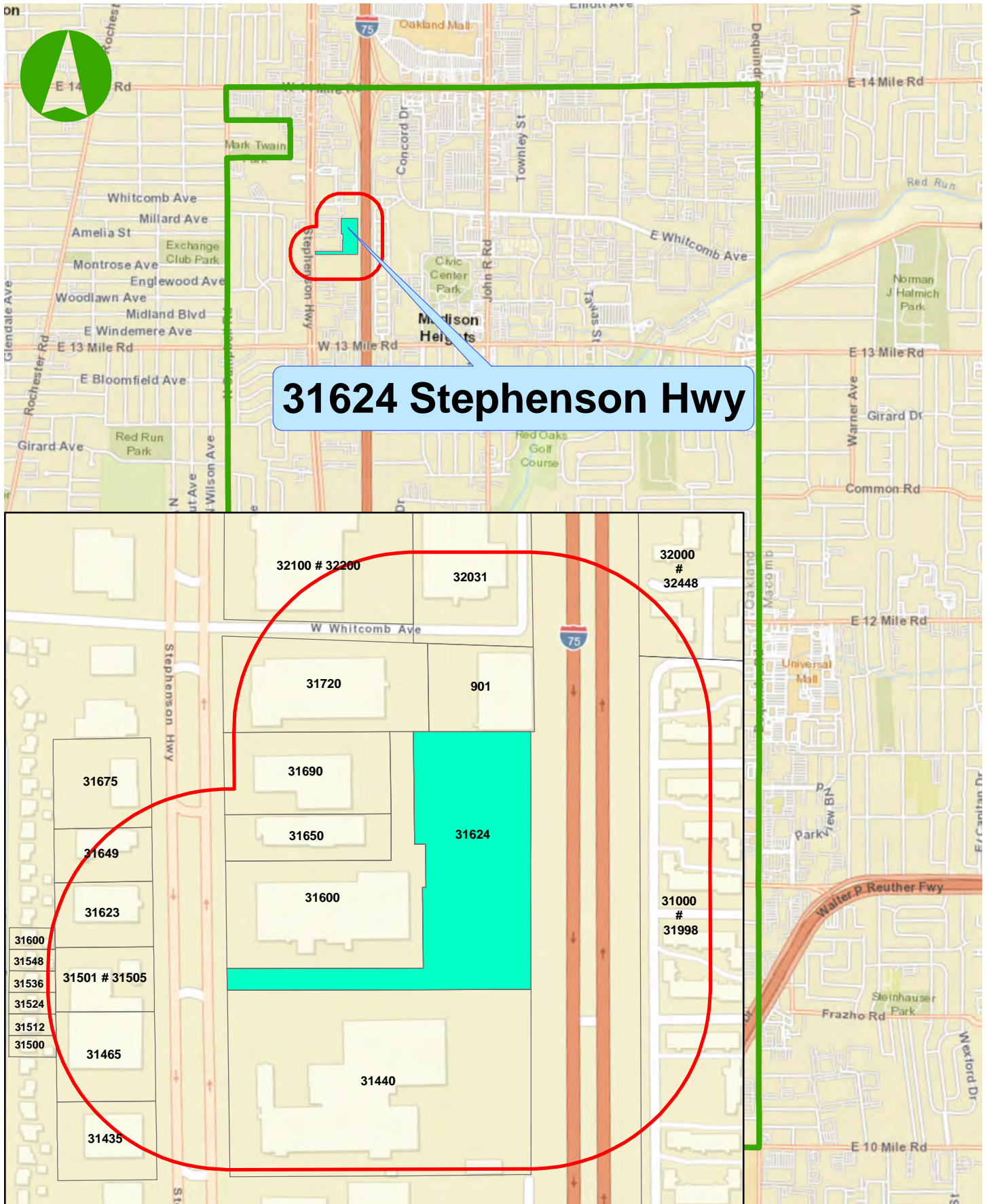
Future Land Use



- 31624 Stephenson Hwy
- Single Family
- Multiple Family
- Office
- Commercial
- Industrial
- Public and Schools
- Recreation
- Conservation
- Mixed Use Innovation

ZBA CASE: 22 - 02

BUFFER 500 FT





CITY OF MADISON HEIGHTS ZONING BOARD OF APPEALS APPLICATION

Application No.:

P2BA22-0002

Date Filed:

1-18-22

(This application must be typed)

SUBMIT TWO ORIGINAL COPIES

1. **Petitioner:**

Name: Emerald Steel Processing, LLC
Address: 31650 Stephenson Hwy
City: Madison Hts. State: MI Zip: 48071
Telephone: (248) 409-9676 Fax: (248) 720-0575
Email: tmcconaghy@emeraldsp.com

2. **Petitioner's Interest in Property:** Owner

3. **Property Owner:**

(Attach list if more than one owner)

Name: Emerald Steel Processing, LLC
Address (Street): 31650 Stephenson Hwy
City: Madison Hts State: MI Zip: 48071
Telephone: (248) 409-9676
Email: tmcconaghy@emeraldsp.com

4. **Property Description:**

Address: 31600 Stephenson Hwy, Madison Hts, MI
Tax Parcel #: 44 - - - - - 48071

Legal Description - Attach if metes and bounds description.

If in a subdivision: Lot #: _____

Subdivision name: _____

Lot size: _____

Size of proposed building or addition: _____

5. **Present Zoning of Property:** _____ **Present Use:** _____

6. **Action Requested:** (Check the appropriate section and attach response on separate sheets)

☐ **APPEAL OF AN ADMINISTRATIVE DECISION (Administrative Review)**

The applicant requests the Board of Appeals to reverse/modify the _____

decision/interpretation of Article _____, Section _____. The decision should be reversed/modified because: (On a separate sheet describe in detail the nature of the problem, the reason for the request and the desired remedy)

ZONING BOARD OF APPEALS APPLICATION

6. **Action Requested:** (Continued) (Check the appropriate section and attach response on separate sheets)

☒ **VARIANCE**

Request is hereby made for permission to erect ☒ alter ☐ convert ☐ or use ☐ a Sign

Contrary to the requirements of Section(s) _____ of the Zoning Ordinance
 _____ of the Zoning Ordinance
 _____ of the Zoning Ordinance

The following questions must be answered fully on a separate sheet of paper:

- A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.
 - B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.)
 - C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.
 - D. Did the special conditions and/or circumstances result from your actions?
 - E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?
 - F. Will granting the variance change the essential character of the area?
- ☐ **TEMPORARY PERMIT**
 Applicant is requesting a Temporary Use ☐ and/or a Temporary Structure ☐
 Describe in detail the proposed use or structure and the length of time requested.
- ☐ **INTERPRETATION OF ORDINANCE LANGUAGE IN SECTION** _____
 Describe in detail the nature of the requested interpretation.
- ☐ **PUBLIC UTILITY BUILDING**
 Describe in detail the proposed use or structure.
- ☐ **OTHER ACTION**
 Describe in detail action requested.

7. **CASE HISTORY**

Have you been denied a permit for a building, sign or use on this property? Yes ☐ No ☒
 Has there been any previous appeal involving these premises? Yes ☐ No ☒
 (If yes, provide character and disposition of previous appeals.)

A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.

We are requesting a variance for a sign sized at 218 sq. ft. in overall sign area which exceeds code. The current zoning of the location is M2. The sign code for this zoning reads "the total sign area of a wall sign in this district shall not exceed 1.5" square feet for each linear foot of building frontage, not to exceed a total sign area of 100 square feet". Petitioner is an industry leader and Tier 1 supplier of fasteners for the Big Three Automakers and a number of other companies. The current zoning significantly limits Petitioner's ability to advertise its well-known name along the I-75 corridor.

B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.

The location of the sign and building size overall make it a unique circumstance for justifying the variance for the larger sign size. With the building's location on the I-75 corridor and the potential for greater visibility, the max size of 100 sq. ft. should have an exception. The linear frontage of this building is approx. 235 feet which makes it ideal for the 218 sq. ft. size sign to be seen from the expressway.

C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.

In addition to what's noted above, the sign's size, the building's size and the location where the sign would be installed brings it more in uniform with similar building signs in the neighboring cities.

D. Did the special conditions and/or circumstances result from your actions?

Yes, the maximum allowable square feet of signage permitted within this district is one of the reasons for seeking variance.

E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?

Yes.

F. Will granting the variance change the essential character of the area?

No, it will not impact the character of surrounding areas. On the contrary, it would bring Petitioner's sign more in proportion to similar building signs in the neighboring cities.

ZONING BOARD OF APPEALS APPLICATION

Application No.:

PBA22-0002

Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature _____

Printed Name _____

Date _____

FOR THE APPLICANT IF NOT THE OWNER:

Signature _____

Printed Name _____

Date _____

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant ☐ Owner ☐

ATTACHED HERETO, AND MADE PART OF THIS APPLICATION, ARE THE FOLLOWING: (All required items must be submitted with this application)

- ☐ 1. Two copies of drawings of Site Plan (no larger than 11"x 17") drawn to scale and containing all necessary dimensions and all features involved in this appeal, including measurements showing open space on abutting properties.
- ☐ 2. Dimensioned elevations of all buildings involved in the requested variance.
- ☐ 3. All required responses to above items.
- ☐ 4. Building permit application if applicable.
- ☐ 5. Letter of authority if applicable
- ☐ 6. Applicable fees:
 - A. Variance Review (Single Family) \$300.00
 - B. Variance Review (Dimensional) \$400.00 plus \$300 per variance
 - C. Use Variance Review \$1,000.00

OFFICE USE ONLY**APPROVALS**

Approved for hearing by City Attorney _____

Approved for hearing by C.D.D. _____

Reviewed by Site Plan Committee _____

INTER-DEPARTMENTAL NOTIFICATION

Community Development Department _____

Fire Department _____

Department of Public Services _____

ZONING BOARD OF APPEALS

APPROVED: _____

DENIED: _____

FEE: \$

750

PAID: _____

1-18-23

RECEIPT NO. _____

#15423



EMERALD STEEL PROCESSING



EXTERIOR SIGNAGE

31624 Stephenson Hwy, Madison Heights, MI 48071

Sign #1 - Front-Lit Channel Letters
EAST ELEVATION

CONSTRUCTION DETAILS: Next Page >>



Front-Lit, UL Listed Channel Letters

- 3.5" Deep Front-Lit Channel Letters, Flush Mounted
- Aluminum Backers / Returns, Color: Painted to Match Face
- 3/16" White Acrylic Sign Faces with Translucent Vinyl Overlay & 1" Green Edgecap
- Illuminated using White LEDs

QTY: (1)

3M 3630-26 Green Translucent Vinyl

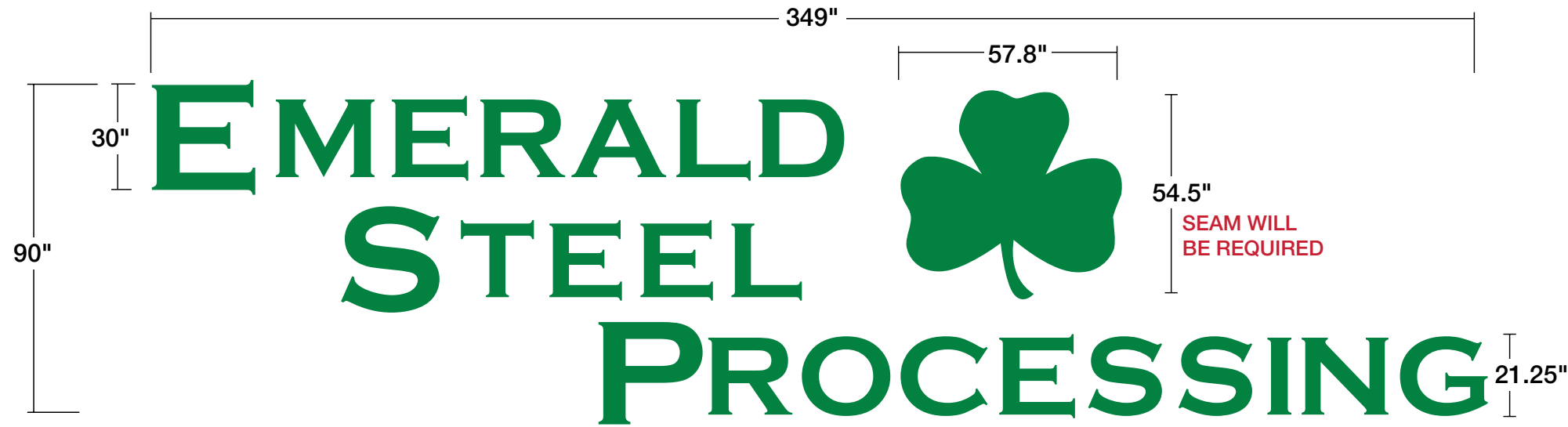
SALES: Renee W | renee@michigansignshops.com

DRAWING: Marissa D.

CREATED: 07/08/2021

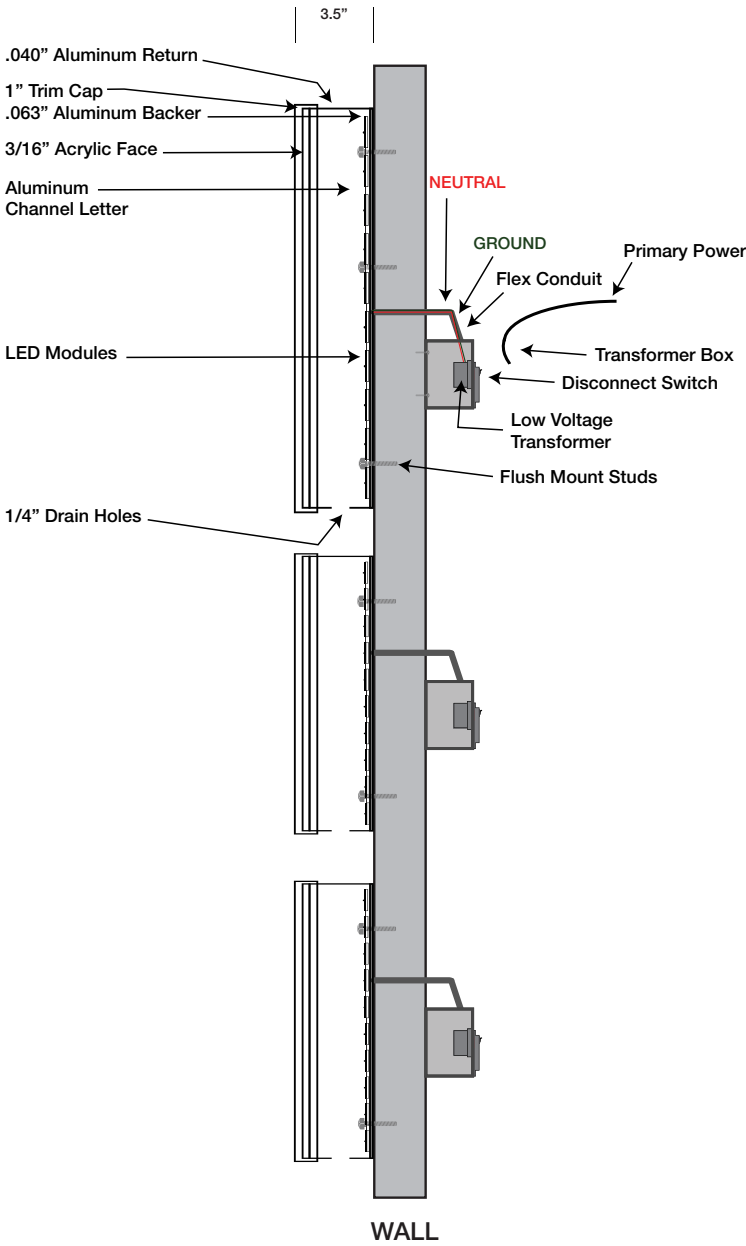
REVISED:

Sign #1 - Front-Lit Channel Letters
EAST ELEVATION



PLEASE NOTE: Serifs on letters may have to be thickened for manufacturing

218 SF



Front-Lit, UL Listed Channel Letters

- 3.5" Deep Front-Lit Channel Letters, Flush Mounted
- Aluminum Backers / Returns, Color: Painted to Match Face
- 3/16" White Acrylic Sign Faces with Translucent Vinyl Overlay & 1" Green Edgecap
- Illuminated using White LEDs

QTY: (1)

3M 3630-26 Green Translucent Vinyl

SALES: Renee W | renee@michigansignshops.com

DRAWING: Marissa D.

CREATED: 07/08/2021

REVISED:

Sign #1 - Front-Lit Channel Letters
EAST ELEVATION



Front-Lit, UL Listed Channel Letters

- 3.5" Deep Front-Lit Channel Letters, Flush Mounted
- Aluminum Backers / Returns, Color: Painted to Match Face
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- Illuminated using White LEDs

QTY: (1)

3M 3630-26 Green Translucent Vinyl

SALES: Renee W | renee@michigansignshops.com

DRAWING: Marissa D.

CREATED: 07/08/2021

REVISED:

SITE MAP

Existing Sign:



Proposed Sign

SALES: Renee W | renee@michigansignshops.com

DRAWING: Marissa D.

CREATED: 07/08/2021

REVISED:



MEMORANDUM

Date: February 25th, 2022
To: City of Madison Heights Zoning Board of Appeals
From: Matt Lonnerstater, AICP – City Planner
Subject: Dimensional Variance (Lot Coverage)
PZBA 22-03; 29472 Milton Ave.

REQUEST

The applicant, *Angela Rondan*, requests a variance from the maximum lot coverage requirement of Section 10.401 of the Zoning Ordinance. The subject property is located at 29472 Milton Avenue and is zoned R-3, One-Family Residential.

Per the Schedule of Regulations, Section 10.401 of the Zoning Ordinance, R-3-zoned properties are afforded a maximum lot coverage of 35%. Lot coverage is defined as the percentage of a lot occupied by all buildings, including accessory buildings. The Milton Avenue property is 5,729 square-feet in area and is currently improved with a 1,196 square-foot single-family house and a 492 square-foot detached garage. The applicant proposes to construct a 300 square-foot addition to the home and a 160 square-foot addition to the garage, which would bring total lot coverage up to 37.5%. As such, the applicant requests a lot coverage variance of 2.5%. The variance request is summarized in the table, below:

Maximum Lot Coverage (R-3 District)	35%
Area of Subject Property	5,729 square feet
Existing Lot Coverage (all existing buildings)	1,688 square feet / 29.5%
Proposed Lot Coverage (all existing and proposed buildings)	2,148 square feet / 37.5%
Variance Request	2.5% lot coverage

STAFF ANALYSIS

At 50 feet in width and 5,729 square feet in area, the subject parcel conforms to the minimum lot size requirements of the R-3 district. The lot is of a similar size, depth and width to other parcels along the block. Staff notes that the garage addition is proposed to be located on an existing concrete pad. The applicant indicates that the house/garage additions are needed as her mother is planning on moving into the house.

VARIANCE FINDINGS

Section 10.804(2) outlines criteria for reviewing variance requests, summarized below with staff comments:

- ***Exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property.***

Staff Finding: Staff does not find exceptional conditions pertaining to the property. The subject parcel satisfies the minimum dimensional standards (lot area and lot width) of the R-3 district and is consistent with the shape and area of adjacent parcels.

- ***The strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.***

Staff Finding: Staff finds that the property could continue to be used for single-family residential purposes without approval of the variance. Further, staff finds that the house addition (300 sq. ft.) could be constructed by itself within the legal lot coverage limits; the proposed garage addition pushes the project above legal lot coverage limits.

Additional standards for reviewing variance cases are contained in Section 10.805, listed at the end of this report.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC considered the variance request at their February 9th, 2022 meeting and did not find exceptional conditions pertaining to the property nor a practical difficulty related to the case.

ZBA ACTION

Any ZBA motion should include findings of fact relating to the variance criteria listed in Sections 10.804(2) and 10.805. In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance.

If the ZBA moves to approve the variance request, staff recommends the following condition:

1. The proposed building additions shall satisfy the R-3 setback and height standards of Section 10.401, *Schedule of Regulations*, and Section 10.504, *Accessory Buildings, Structures and Uses*.

CODE REFERENCES

Sec. 10.804. - Power of zoning board of appeals.

(2) Variance. To authorize upon an appeal, a variance from the strict applications of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the

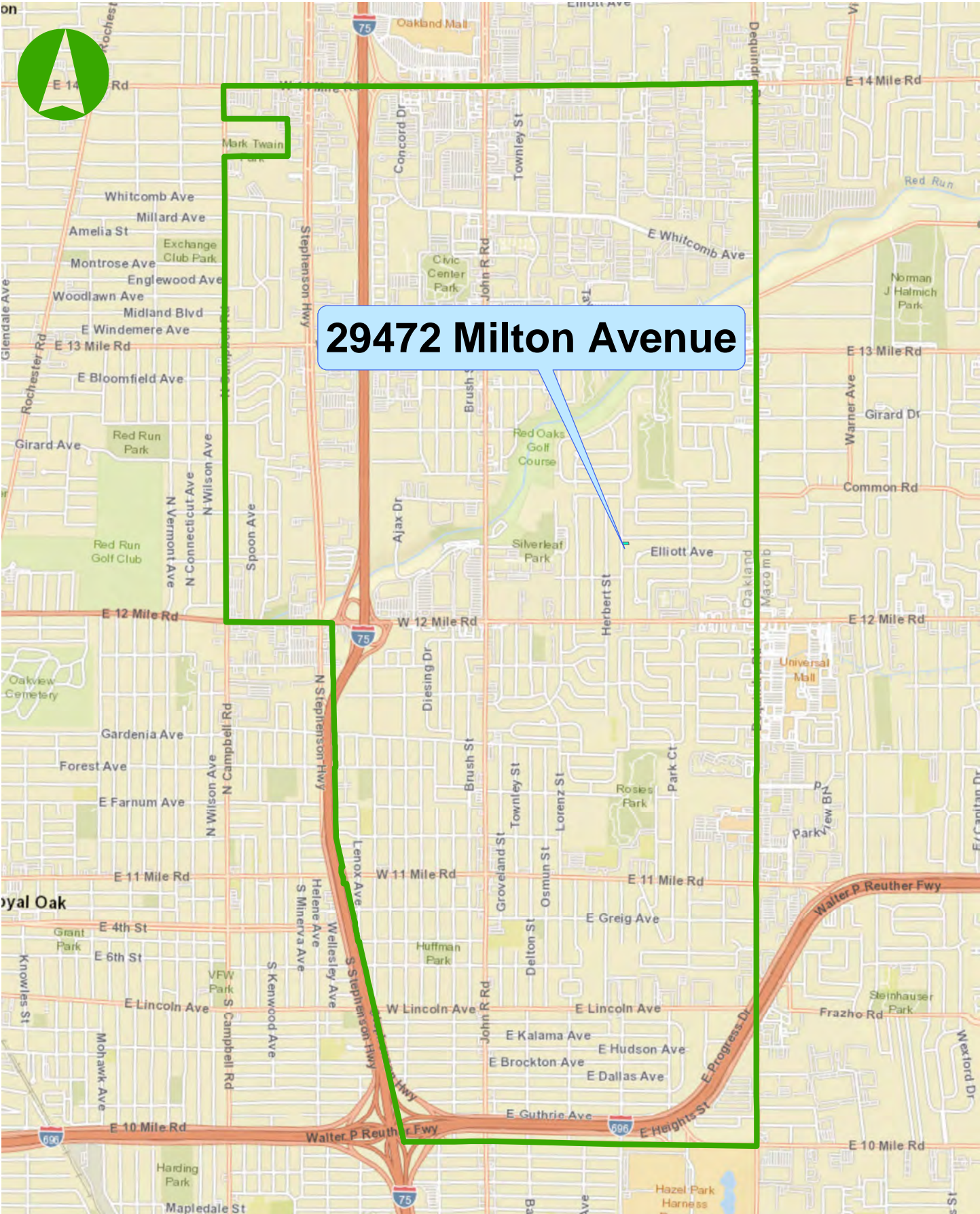
regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this Ordinance. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance. In granting a variance, the board shall state the grounds upon which it justifies the granting of a variance.

Sec. 10.805. - Standards.

Each case before the city council, zoning board of appeals or plan commission shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such case. All uses as listed in any district requiring approval for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. Consideration shall be given to the following:

- 1) The location and size of the use.*
- 2) The nature and intensity of the operations involved in or conducted in connection with it. (See section 10-319(4).)*
- 3) Its size, layout and its relation to pedestrian and vehicular traffic to and from the use.*
- 4) The assembly of persons in connection with it will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood.*
- 5) Taking into account, among other things, convenient routes of pedestrian traffic, particularly of children.*
- 6) Vehicular turning movements in relation to routes of traffic flow, relation to street intersections, site distance and the general character and intensity of development of the neighborhood.*
- 7) The location and height of buildings, the location, the nature and height of walls, fences and the nature and extent of landscaping of the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.*
- 8) The nature, location, size and site layout of the uses shall be such that it will be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and related characteristics.*
- 9) The location, size, intensity and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses, not interfere with an adequate supply of light and air, not increase the danger of fire or otherwise endanger the public safety.*

ZBA CASE 22-03



Site Address: 29472 Milton Avenue



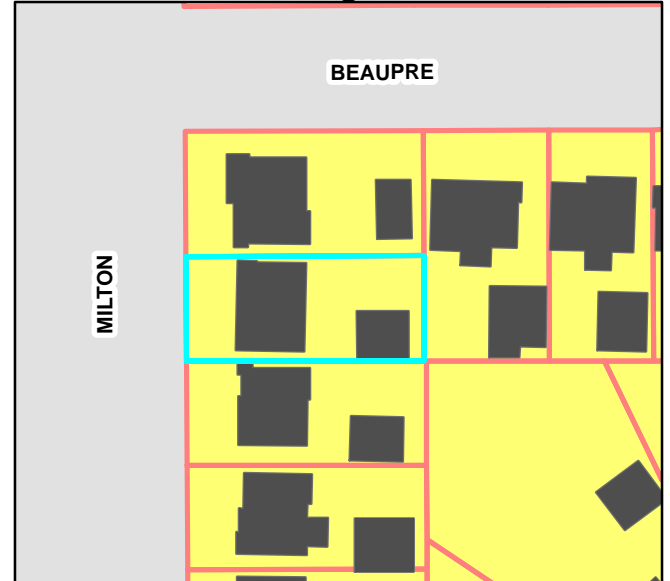
[Click for map](#)

Aerial



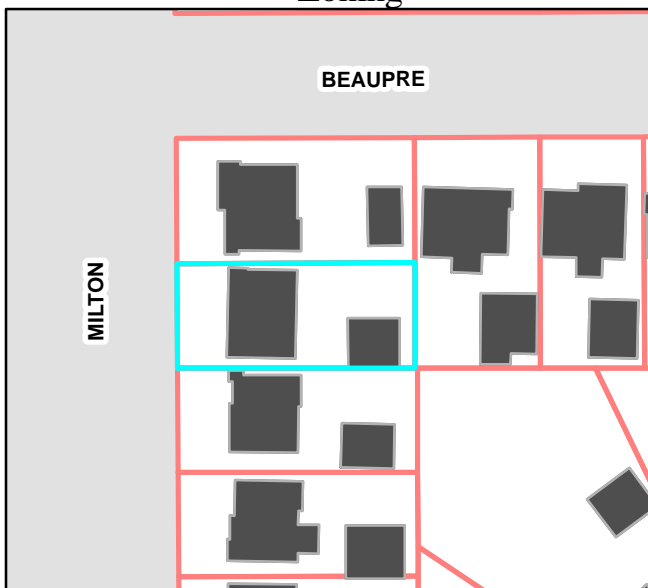
- 29472 Milton Avenue
- Parcels

Existing Land Use



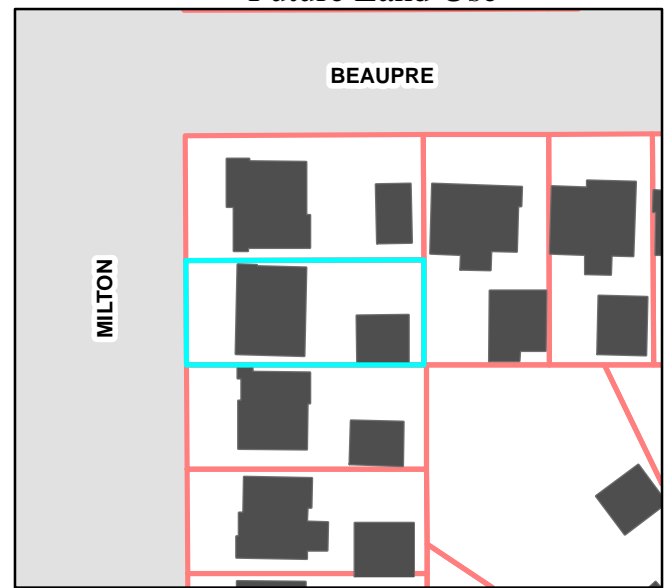
- 29472 Milton Avenue
- Buildings
- Parcels
- Vacant
- Single And Two Family
- Office
- Commercial
- Industrial
- Public

Zoning



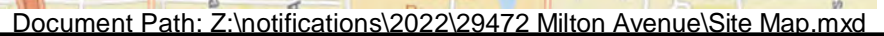
- 29472 Milton Avenue
- Buildings
- Parcels
- R-3 Residential

Future Land Use



- 29472 Milton Avenue
- Single Family
- Multiple Family
- Office
- Commercial
- Industrial
- Public and Schools
- Recreation
- Conservation
- Mixed Use Innovation

29472 Milton Avenue





**CITY OF MADISON HEIGHTS
ZONING BOARD OF APPEALS
APPLICATION**

Application No.:

PZBA22-0003

Date Filed:

2-4-22

(This application must be typed)

SUBMIT TWO ORIGINAL COPIES

1. **Petitioner:** Name: Angela Rondan
Address: 29472 Milton Ave
City: Madison Heights State: MI Zip: 48071
Telephone: 248-321-4577 Fax: _____
Email: angela.rondan@gmail.com
2. **Petitioner's Interest in Property:** Owners
3. **Property Owner:** (Attach list if more than one owner)
Name: Angela & Anthony Rondan
Address (Street): 29472 Milton Ave
City: Madison Heights State: MI Zip: 48071
Telephone: 248-321-4577
Email: angela.rondan@gmail.com
4. **Property Description:**
Address: 29472 Milton Ave, Madison Hts, MI 48071
Tax Parcel #: 44 - 25 - 12 - 405 - 002
Legal Description - Attach if metes and bounds description.
If in a subdivision: Lot #: 425
Subdivision name: Moulin Rouge Subdivision 1
Lot size: 50 x114.15 5729 Sq ft
Size of proposed building or addition: _____
5. **Present Zoning of Property:** R-3 **Present Use:** Single Family Residential
6. **Action Requested:** (Check the appropriate section and attach response on separate sheets)
☐ **APPEAL OF AN ADMINISTRATIVE DECISION (Administrative Review)**

The applicant requests the Board of Appeals to reverse/modify the _____
10.401 of municipal code
decision/interpretation of Article _____, Section _____. The decision should be
reversed/modified because: (On a separate sheet describe in detail the nature of the problem, the
reason for the request and the desired remedy)

ZONING BOARD OF APPEALS APPLICATION

6. Action Requested: (Continued) (Check the appropriate section and attach response on separate sheets)

☒ **VARIANCE**

Request is hereby made for permission to erect ☐ alter ☒ convert ☐ or use ☐ a

Contrary to the requirements of Section(s) → 10.401 of the Zoning Ordinance
— of the Zoning Ordinance
— of the Zoning Ordinance

The following questions must be answered fully on a separate sheet of paper:

- A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.
- B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.)
- C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.
- D. Did the special conditions and/or circumstances result from your actions?
- E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?
- F. Will granting the variance change the essential character of the area?

☐ **TEMPORARY PERMIT**

Applicant is requesting a Temporary Use ☐ and/or a Temporary Structure ☐

Describe in detail the proposed use or structure and the length of time requested.

☐ **INTERPRETATION OF ORDINANCE LANGUAGE IN SECTION** _____

Describe in detail the nature of the requested interpretation.

☐ **PUBLIC UTILITY BUILDING**

Describe in detail the proposed use or structure.

☒ **OTHER ACTION**

Describe in detail action requested.

7. **CASE HISTORY**

Have you been denied a permit for a building, sign or use on this property? Yes ☐ No ☒

Has there been any previous appeal involving these premises? Yes ☐ No ☒

(If yes, provide character and disposition of previous appeals.)

ZONING BOARD OF APPEALS APPLICATION

Application No.:

PZBA22-00037

Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature

Angela A RondonPrinted Name Angela Rondon

Date _____

FOR THE APPLICANT IF NOT THE OWNER:

Signature _____

Printed Name _____

Date _____

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant ☐ Owner ☒

ATTACHED HERETO, AND MADE PART OF THIS APPLICATION, ARE THE FOLLOWING: (All required items must be submitted with this application)

- ☐ 1. Two copies of drawings of Site Plan (no larger than 11"x 17") drawn to scale and containing all necessary dimensions and all features involved in this appeal, including measurements showing open space on abutting properties.
- ☐ 2. Dimensioned elevations of all buildings involved in the requested variance.
- ☐ 3. All required responses to above items.
- ☐ 4. Building permit application if applicable.
- ☐ 5. Letter of authority if applicable
- ☐ 6. Applicable fees:
 - A. Variance Review (Single Family) \$300.00
 - B. Variance Review (Dimensional) \$400.00 plus \$300 per variance
 - C. Use Variance Review \$1,000.00

OFFICE USE ONLY

APPROVALS

Approved for hearing by City Attorney _____

Approved for hearing by C.D.D. _____

Reviewed by Site Plan Committee _____

INTER-DEPARTMENTAL NOTIFICATION

Community Development Department _____

Fire Department _____

Department of Public Services _____

ZONING BOARD OF APPEALS

APPROVED: _____

DENIED: _____

FEE: \$

300

PAID: _____

2-4-22

RECEIPT NO.

109202

February 3, 2022

To: Zoning Board of Madison Heights

From: Angela Rondan applicant

Dear Board Members,

I am applying for a Zone variance on our property at 29472 Milton Ave, Madison Heights, which you will be reviewing today. I have included arial pictures of our property & 3 from neighboring streets showing other homes that appear to have similar lot coverages or more to what we are proposing. I have also included pictures of our homes exterior & yard to show that we have worked hard to maintain & improve our property over the 25 years we have lived in this home & to help provide the board the ability to better envision the proposal.

I have been a resident for close to 57 years, since I was 5 years old. I married & have lived in Madison Heights the entire 41 years we have been married, raising our 5 children grades K-12 in the exact schools I went to as a youngster. My children had, amazingly, several teachers that I had in school! Madison Heights is a community that has continued to thrive. We stayed in Madison Heights because of the community. It is a community we would like to stay and to retire in. Many of my friends' parents still live in their homes & or my friends have purchased their parents homes or new homes in Madison Heights and still live in this area.

My Mother, Linda Agents, the one I am working to entice to live with us, utilizing the proposal you will be considering; is also a 57-year resident still living in the home I grew up in at 29606 Tawas, across from Page Middle School. My Mother is nearing 80 years old now and we have seen a decline in her health and ability to maintain her property without a growing need for substantial help.

As her only child it falls to me to help her & given the economy & other personal considerations, we have found moving away to a bigger home not to be a viable option. We looked at both properties to see what we could do to make living together as comfortable as possible. Our property & home are both bigger & more suitable for adding on. We looked into adding up, but given we are in our 60's & Mom is nearing 80, the stairs to an upper floor were not a good option. So, we have designed the additions proposed here for your consideration keeping everything on one level and maximizing our ability to combine 2 households as well as giving my Mom an area for her privacy.

Thank you in advance for your time & hopefully your approval of our plans.

Sincerely,

Angela (Agents) Rondan
29472 Milton Ave, Madison Heights, MI 48071
248-321-4577

- A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.

The total area of buildings on the site at 29472 Milton Ave with the proposed Home Addition & New Shed will exceed the maximum allowable Lot coverage by 2.5%. Please note that the proposed new shed will be located over an existing concrete slab, therefore constructing the shed will not increase the impervious ~~are~~ of the site. Pictures are included with this application.

- B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were 8-1 (Local Business) your district would include all City lands zoned B-I.)

There are no special conditions or circumstances regarding this site.

- C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.

The variance we are seeking is to allow my Mother to move from her home at 29606 Tawas, Madison Heights to our home with as little sacrifice as possible to her personal comfort.

- D. Did the special conditions and/or circumstances result from your actions?

No

- E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?

Yes and No. We can meet the ordinance if we don't build the Shed. But if we do not build the shed, we cannot bring much of my Mother's things. The shed will contain all the camping, yard equipment, gardening things & tools with work bench & her scooter. Freeing up most of the main garage. We specifically wish to utilize some of the larger garage to put her things & possibly create an area for a Sewing room for her. She currently has a room fully devoted to her sewing; she has multiple sewing machines & other sewing notions/tools where she needs to spread out to work comfortably. At almost 80-yr's this is not an easy move for her to make. Given that she has back problems, COPD, Angina & digestive issues it is in her best interest that she makes this move. We are doing our utmost to bring as much of her things as we can to make her feel comfortable & at home. I want her to feel that she is not giving up everything she has, to make this move.

- F. Will granting the variance change the essential character of the area?

No

Other Action

Describe in detail action requested

Requesting a variance to exceed the maximum build-able area by 2.5%.

**CITY OF MADISON HEIGHTS**

TREASURER (248) 583-0845

2021 PROPERTY TAX NOTICE - SUMMER

FISCAL YEARS	
CITY AND SCHOOL 7/01/2021 TO 6/30/2022	COUNTY AND STATE OF MICHIGAN 10/01/2021 TO 9/30/2022

TAXES ARE PAYABLE JULY 1, 2021 TO AUGUST 31, 2021
POSTMARKS NOT ACCEPTED

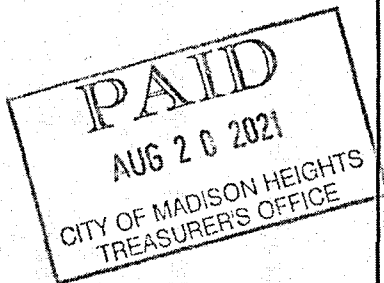
4% LATE PAYMENT PENALTY APPLIED
Starting September 1, 2021 Plus 1/4% added each month after

RONDAN, ANTHONY G
RONDAN, ANGELA S
29472 MILTON AVE
MADISON HEIGHTS MI 48071-5412

PROPERTY ADDRESS:
29472 MILTON AVE

PARTIAL DESCRIPTION OF PROPERTY

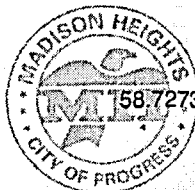
T1N, R11E, SEC 12, MOULIN ROUGE SUB NO 1, LOT 425




Prevent the spread of Coronavirus (COVID-19)
www.madison-heights.org for Information

**RETAIN THIS PORTION
FOR YOUR RECORDS
YOUR CANCELLED CHECK IS YOUR RECEIPT**

PARCEL I.D. NUMBER		SCHOOL DISTRICT	MORTGAGE CODE
44-25-12-405-002		63280	
CLASS CODE	% PRINCIPAL RESIDENCE	TAXABLE VALUE	STATE EQUALIZED VALUE
401	100	38,440	75,660
TAX DESCRIPTION		RATE PER \$1,000	AMOUNT
CITY OPERATING		12.72600	489.18
SOLID WASTE		2.53960	97.62
P & F PENSION		7.11550	273.51
ROAD IMPROVEMENT		1.91990	73.80
SENIOR CITIZENS		0.45600	17.52
FIRE STATIONS B		0.50570	19.43
CHAPT 20 DRAIN		1.00190	38.51
COUNTY GEN FUND		4.01320	154.26
STATE EDUC TAX		6.00000	230.64
OAK COMM COLLEG		1.50570	57.87
OISD ALLOCATED		0.19020	7.31
OISD VOTED		3.01100	115.74
LAMPHERE OPER		9.00000	EXEMPT
LAMPHERE SUPMTL		7.25000	278.69
LAMPHERE SINKING		1.49260	57.37
SUBTOTAL		58.72730	1,911.45
ADMINISTRATIVE FEE			19.11
TOTAL AMOUNT DUE			1,930.56



IMPORTANT INFORMATION - SEE REVERSE SIDE.




















TOTAL DUE 8-31-2021

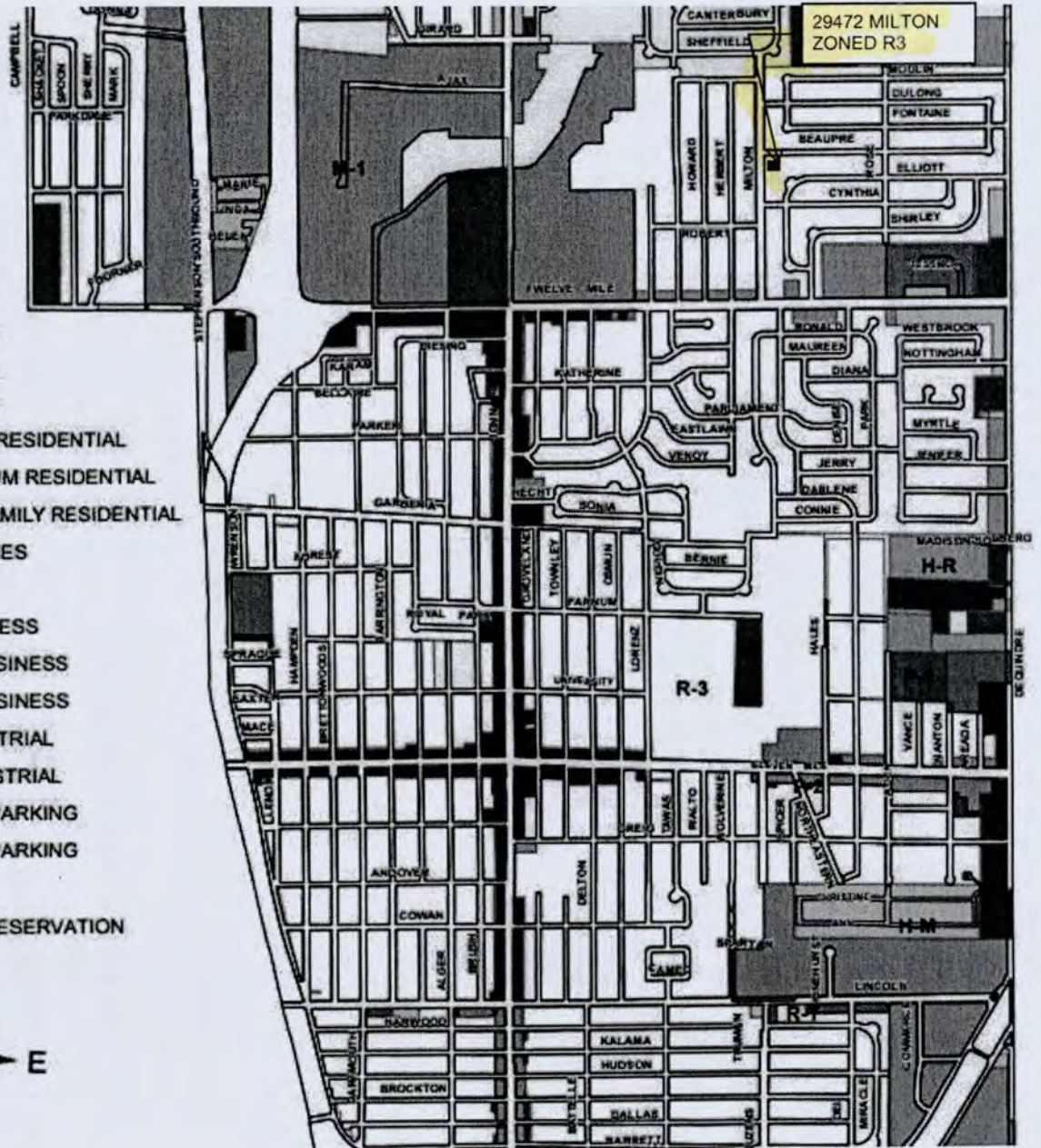
\$ 1,930.56

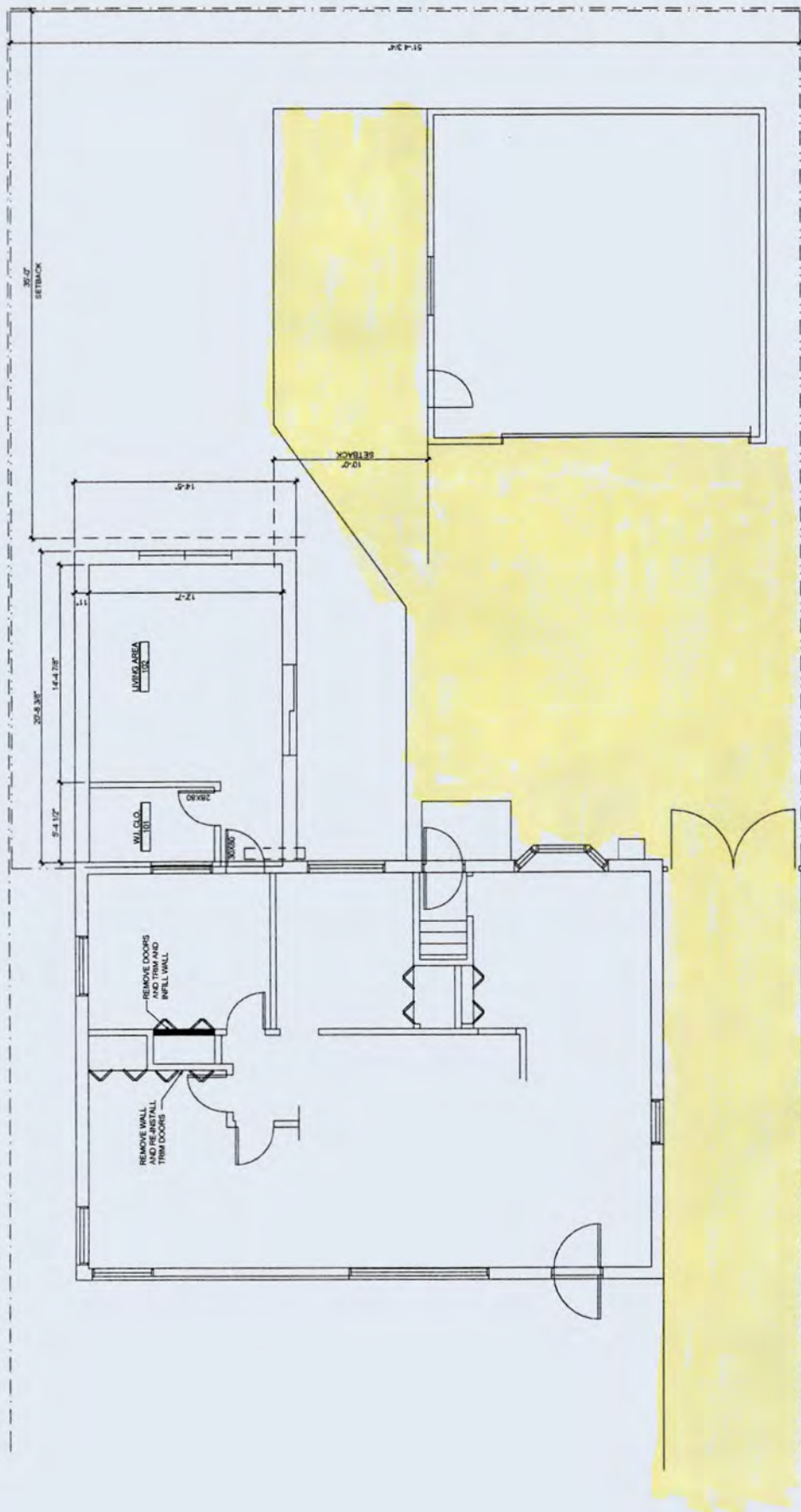


Checks accepted only as conditional payment. If check is not honored by bank, tax is unpaid and subject to penalties and fees.

ZONING MAP

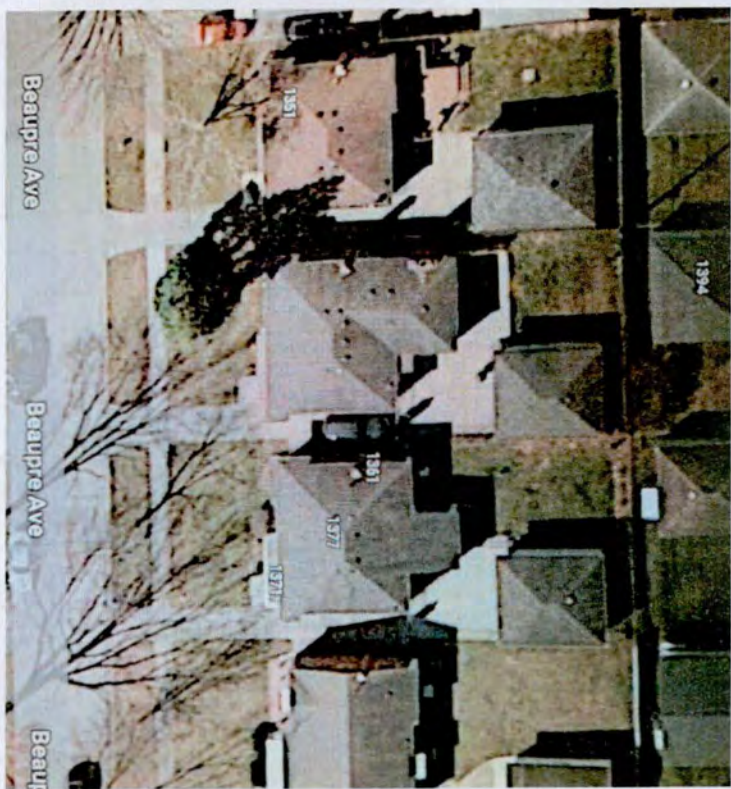
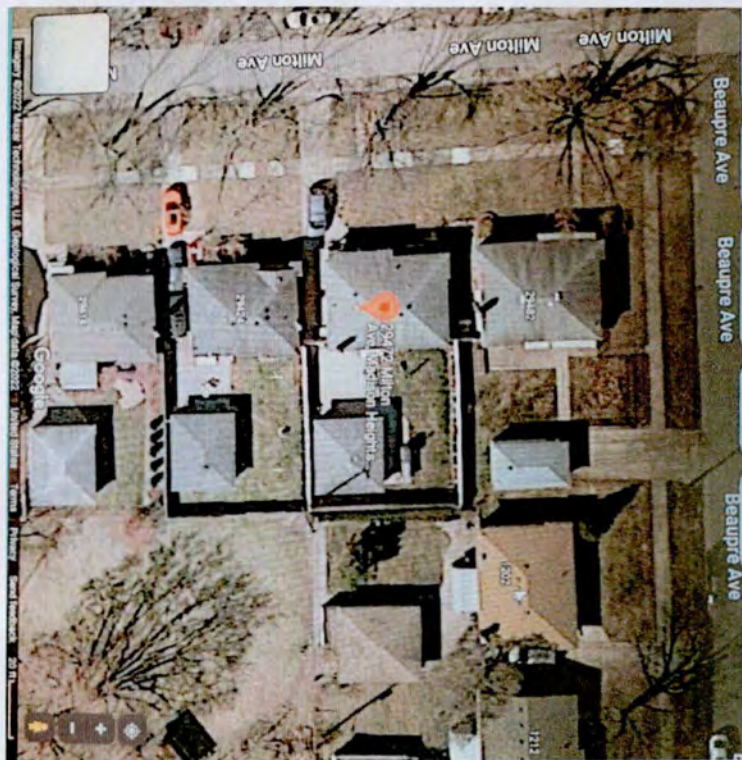
-  R-1 RESIDENTIAL
-  R-2 RESIDENTIAL
-  R-3 RESIDENTIAL
-  R-T TWO FAMILY RESIDENTIAL
-  R-C CONDOMINIUM RESIDENTIAL
-  R-M MULTIPLE FAMILY RESIDENTIAL
-  H-M MOBILE HOMES
-  O-1 OFFICE
-  B-1 LOCAL BUSINESS
-  B-2 PLANNED BUSINESS
-  B-3 GENERAL BUSINESS
-  M-1 LIGHT INDUSTRIAL
-  M-2 HEAVY INDUSTRIAL
-  P-1 VEHICULAR PARKING
-  P-2 VEHICULAR PARKING
-  H-R HIGH RISE
-  N-P NATURAL PRESERVATION

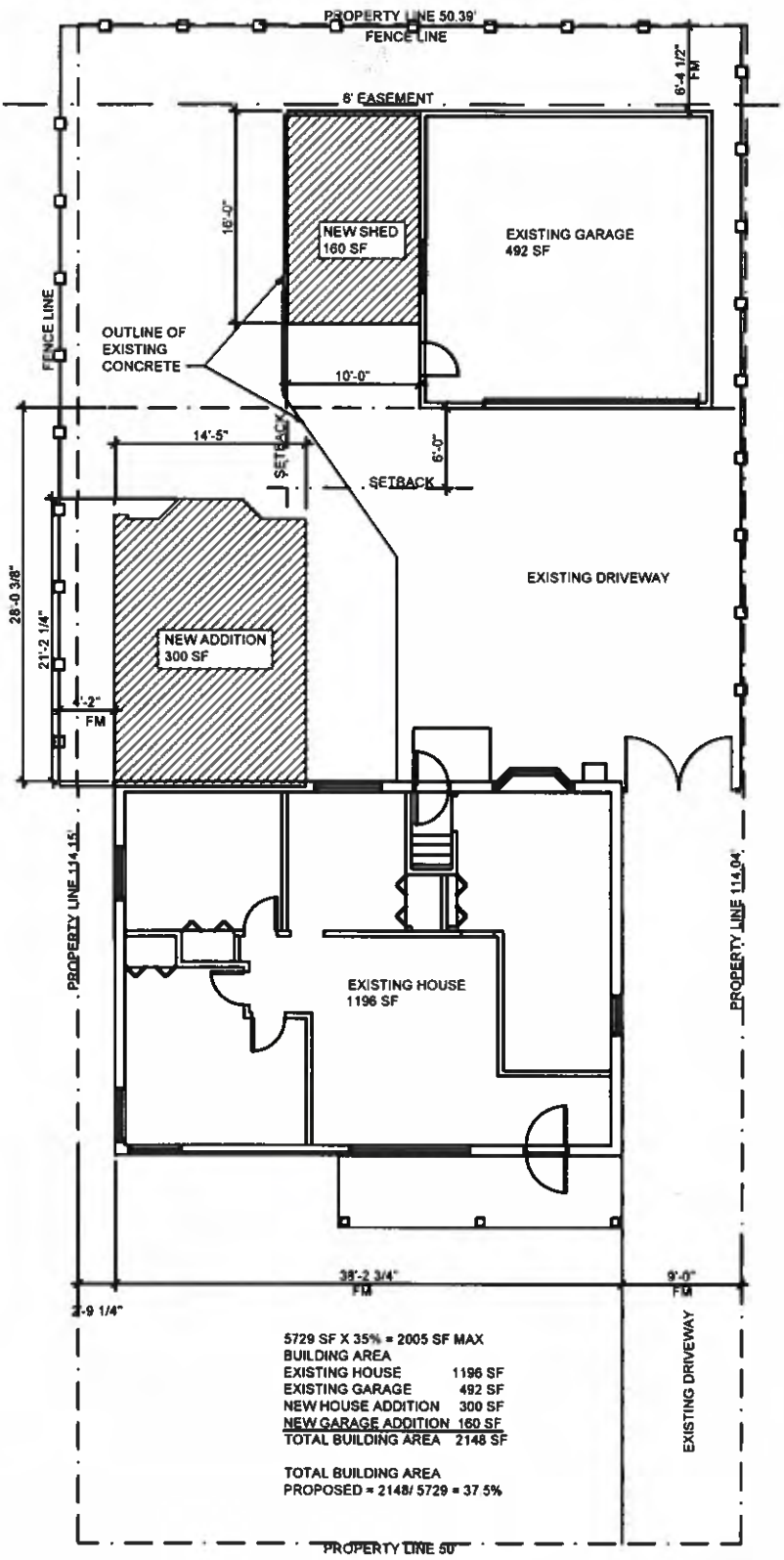
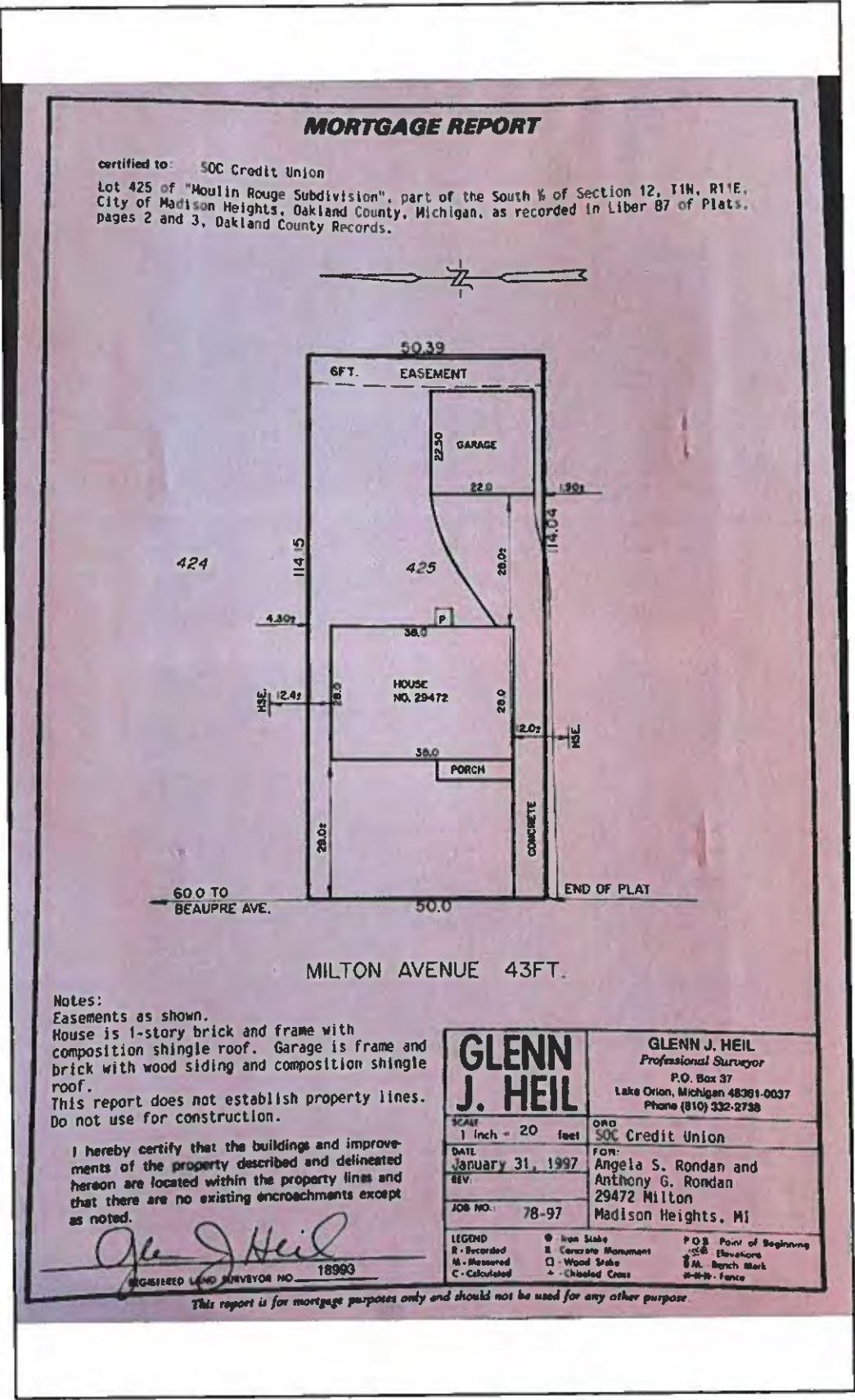




*Current
Current*

Arial View of property at 29472 Milton Ave & 3 other near by homes showing lot coverage.
All pictures are within a 2 block radius.





MICHAEL MAGEAU
ARCHITECT
475 LEXINGTON, GROSSE
POINTE FARMS MI, 48236
313-316-3118

NOT FOR
CONSTRUCTION

RONDAN RESIDENCE
ADDITION
29472 MILTON,
MADISON HEIGHTS, MI.
48071

SITE PLAN

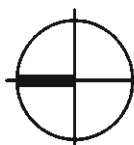
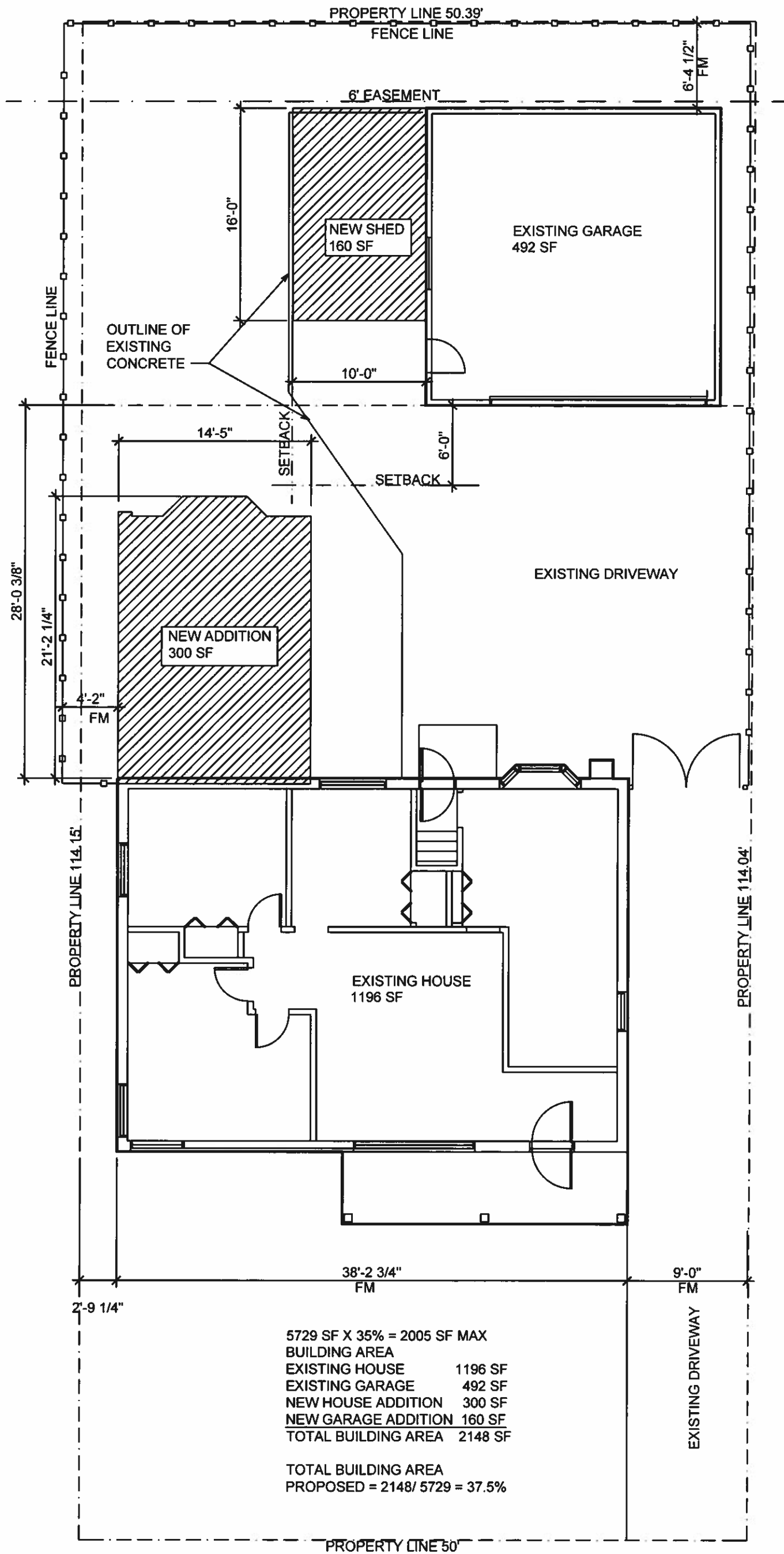
2021-013

ZONING BOARD OF APPEALS
REVIEW FEBRUARY 3, 2022

DRAWN BY CHECKED BY

A100

RECEIVED
FEB 07 2022
BY:



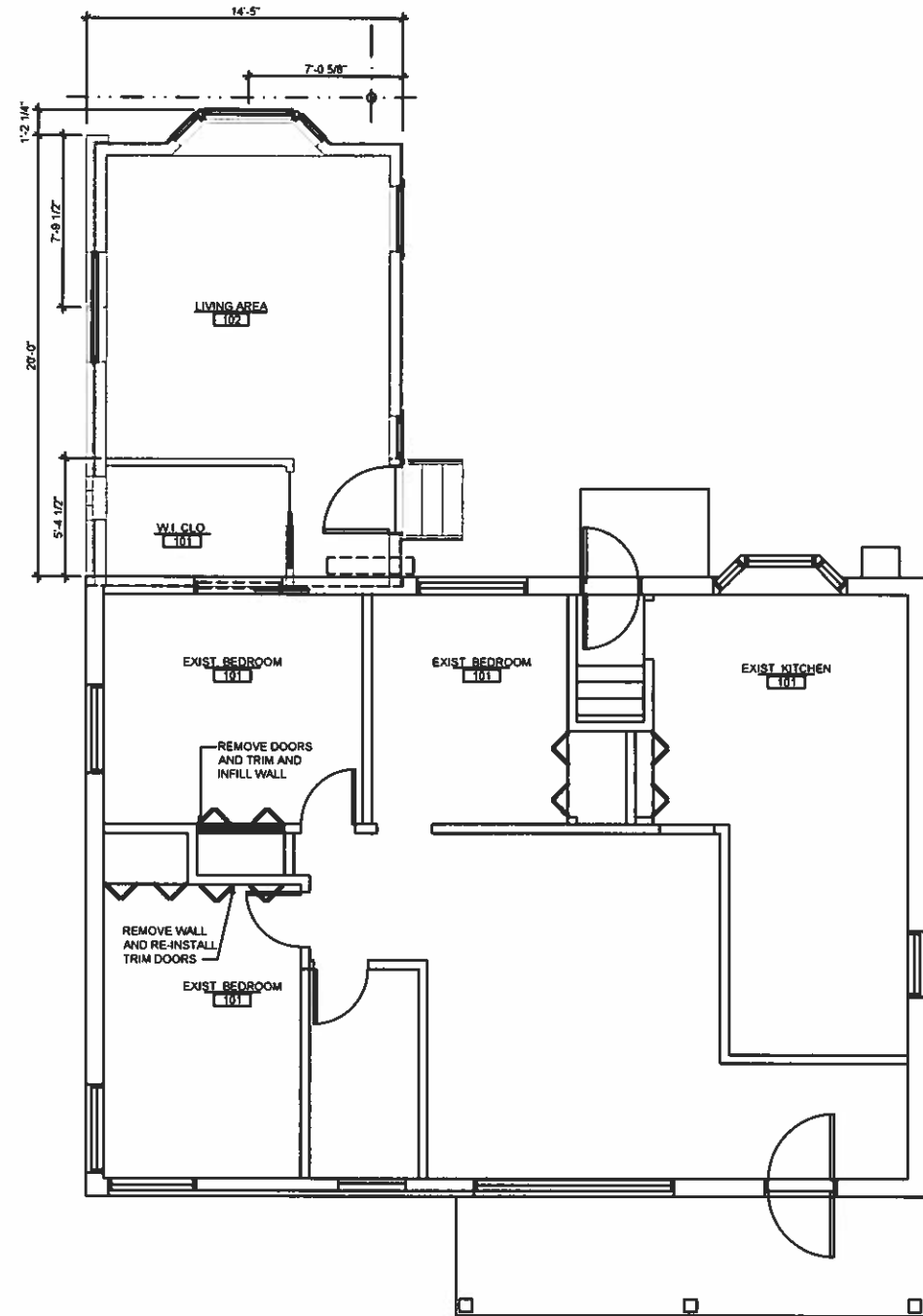
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PROPOSED SITE PLAN

FM= FIELD MEASURED

1/8"=1'-0"

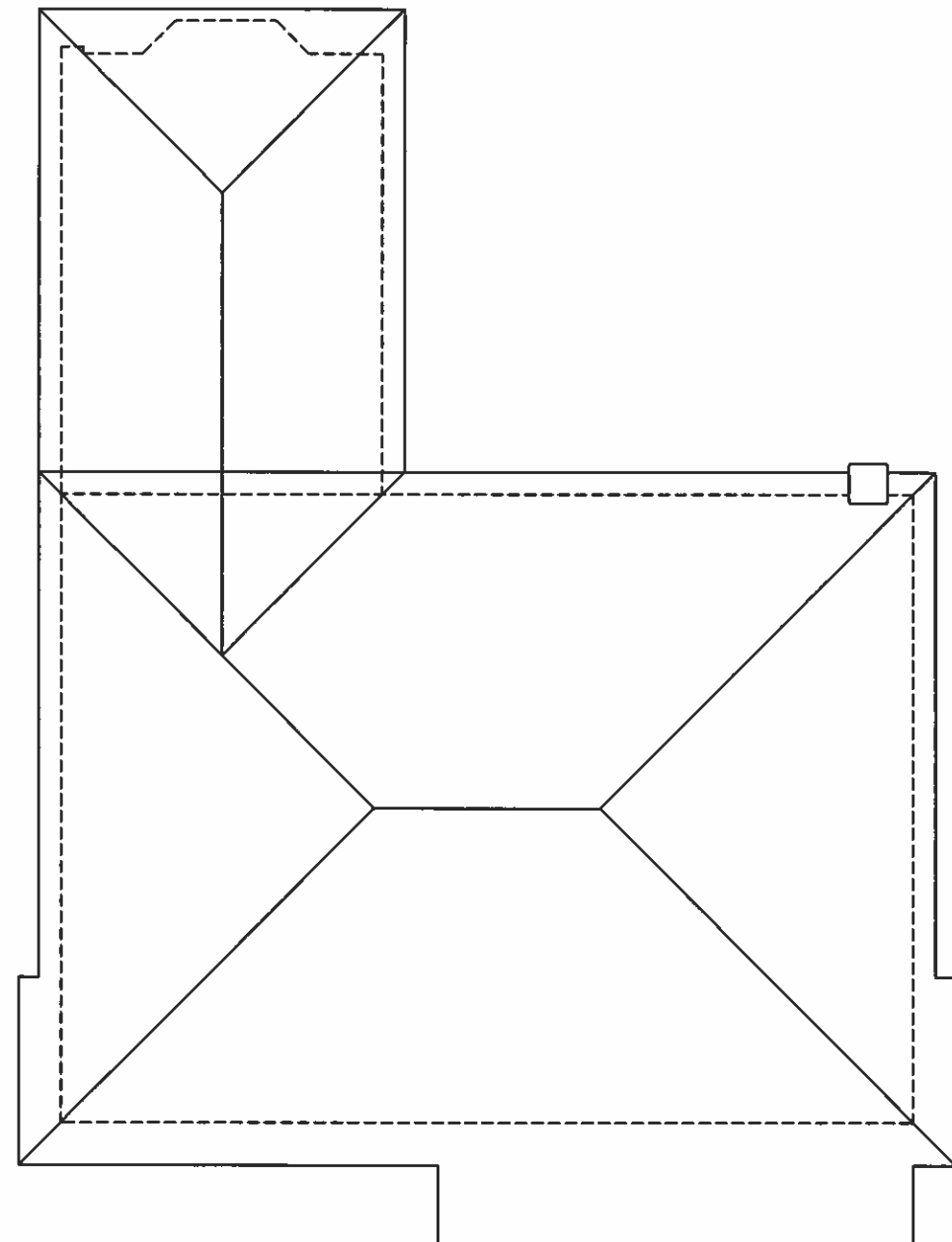
0 2 4 8



1 FLOOR PLAN

1/4"=1'-0"

0 1 2 4

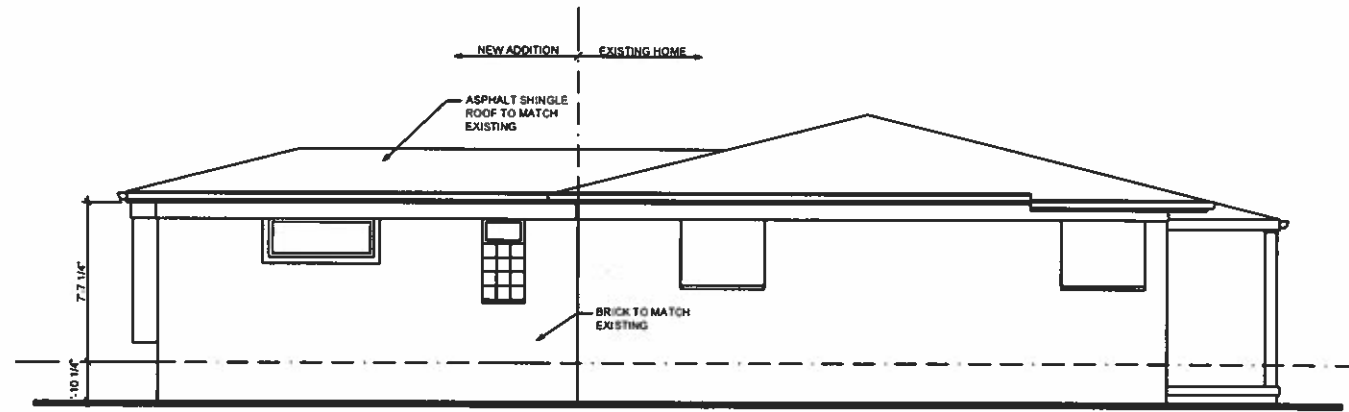


2 ROOF PLAN

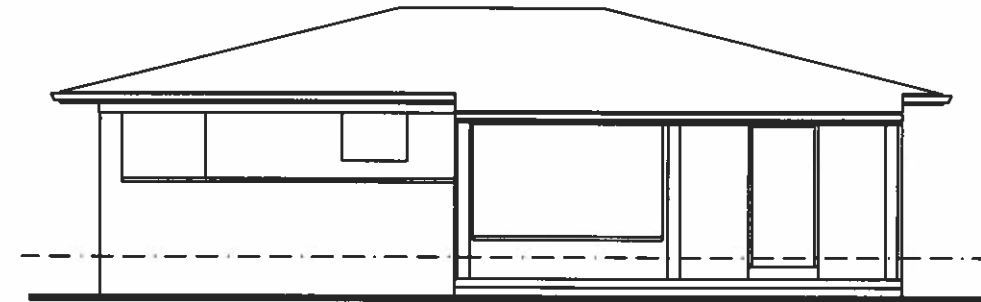
1/4"=1'-0"

0 1 2 4

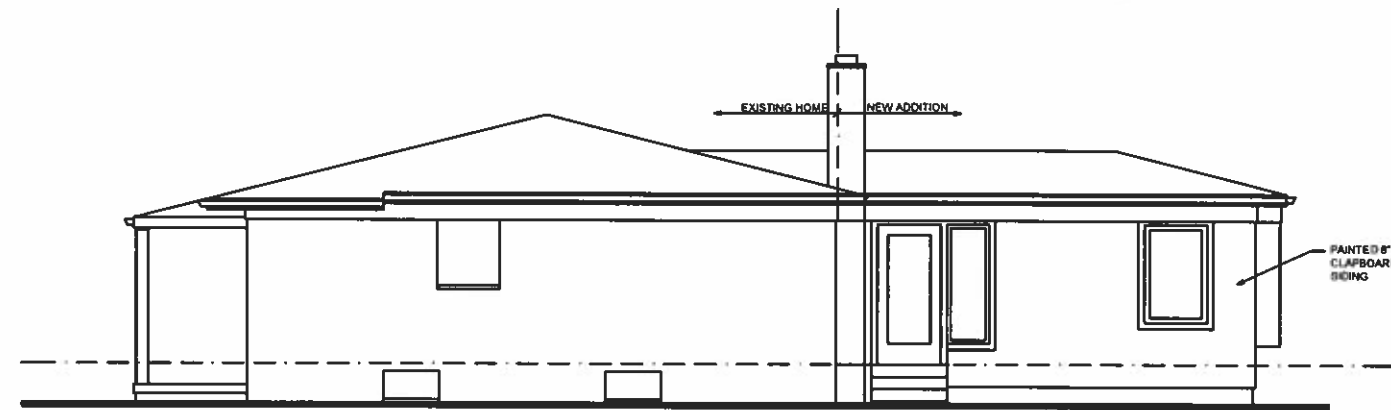
MICHAEL MAGEAU ARCHITECT 475 LEXINGTON, GROSSE POINTE FARMS MI, 48236 313-316-3118
NOT FOR CONSTRUCTION
RONDAN RESIDENCE ADDITION 29472 MILTON, MADISON HIGHTS, MI. 48071
PROPOSED FLOOR PLAN AND ROOF PLAN
2021-013 ZONING BOARD OF APPEALS REVIEW FEBRUARY 3, 2022
DRAWN BY _____ CHECKED BY _____
A103



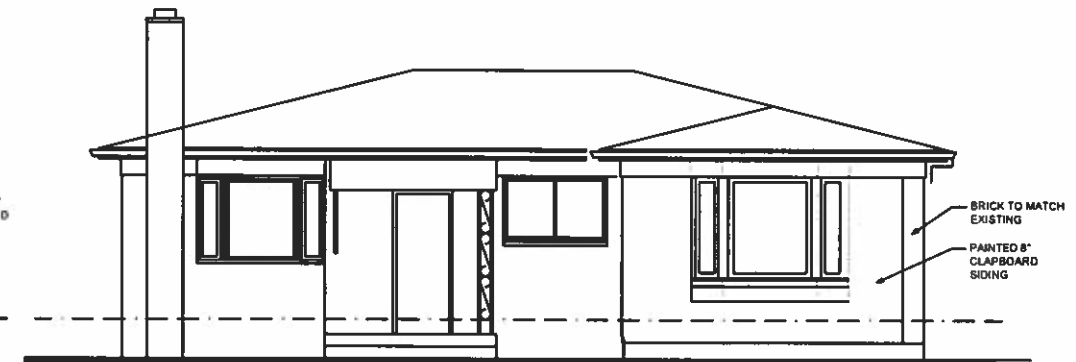
1
PROPOSED NORTH PLAN



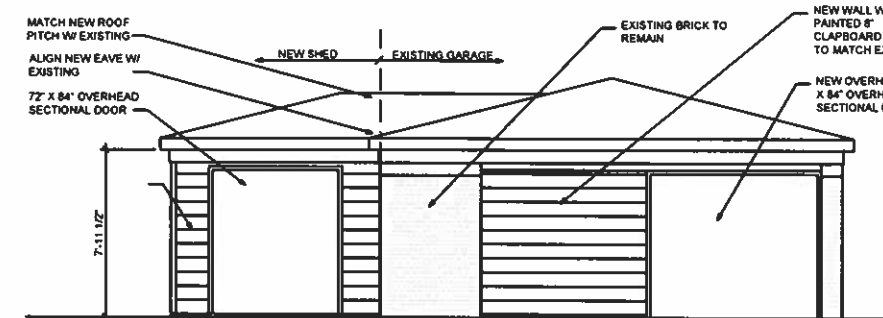
2
PROPOSED WEST ELEVATION



3
PROPOSED SOUTH ELEVATION



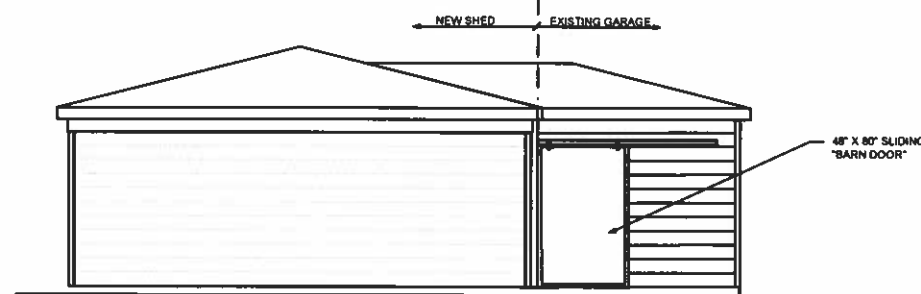
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PROPOSED EAST ELEVATION



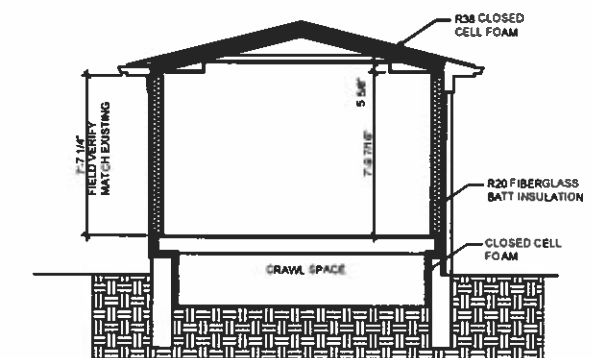
5
GARAGE/ SHED PROPOSED WEST ELEVATION



6
GARAGE/ SHED PROPOSED NORTH ELEVATION



7
GARAGE/ SHED PROPOSED EAST ELEVATION



SECTION THROUGH ADDITION

MICHAEL MAGEAU
ARCHITECT
475 LEXINGTON, GROSSE
POINTE FARMS MI, 48236
313-316-3118

NOT FOR
CONSTRUCTION

RONDAN RESIDENCE
ADDITION
29472 MILTON,
MADISON HIGHTS, MI.
48071

PROPOSED
ELEVATIONS

2021-013

ZONING BOARD OF APPEALS REVIEW
FEBRUARY 3, 2022

DRAWN BY CHECKED BY

A104