



# MEMORANDUM

Date: September 8<sup>th</sup>, 2026  
To: City of Madison Heights City Council (September 14<sup>th</sup>, 2026 Regular Meeting)  
From: Matt Lonnerstater, AICP – City Planner  
Subject: Special Land Use Request PSP 26-05 – 30159 Brush Street – Major Home Occupation [Pet Boarding]

## TEMPLATE MOTION AND FINDINGS INCLUDED ON PAGE 7

### Introduction

The applicant, property owner, and resident, Hali Fortuna, requests Special Land Use approval from the Planning Commission and City Council under Section 15.05 of the Madison Heights Zoning Ordinance to operate a Major Home Occupation (pet boarding business) out of her home at 30159 Brush Street, zoned R-3, One-Family Residential; tax parcel #44-25-11-279-042. The property, consisting of a single-family house and an attached garage, is located on the west side of Brush Street, north of Girard Avenue.

**Note:** The applicant has provided a “Supplemental Information Packet” for City Council consideration. This packet was submitted after the Planning Commission meeting.

### Planning Commission Action and Findings.

Per the Zoning Ordinance adopted in 2024, Special Land Use requests begin at the Planning Commission for a public hearing, with a recommendation made to City Council for final action. A public hearing was held at the August 25<sup>th</sup>, 2026 special Planning Commission meeting. Several letters of opposition were read into the record, and several members of the public spoke in opposition. Following the public hearing, the Planning Commission approved the following motion pertaining to the proposed Special Land Use request:

MOTION MADE BY COMMISSIONER MARSH, SECONDED BY COMMISSIONER OLSON THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY **RECOMMENDS THAT CITY COUNCIL DENY SPECIAL LAND USE REQUEST NUMBER PSP 26-05** FOR A MAJOR HOME OCCUPATION IN THE FORM OF A DOG BOARDING BUSINESS AT 30159 BRUSH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a dog boarding Major Home Occupation at 30159 Brush Street.
2. The Planning Commission held a public hearing for PSP 26-05 at their August 25th, 2026 special meeting.
3. The proposed dog boarding Major Home Occupation use is not consistent with the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:

- a. The use is not designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
  - b. The Special Land Use will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, the neighborhood, or the general welfare of the neighbors and noise in the general area.
  - c. The use is incompatible with the surrounding neighborhood.
4. The use is not consistent with the intent and purpose of the R-3 zoning district in which it is proposed.

Voting Yea: Mayor Haines, Commissioner Fleming, Commissioner Marsh, Commissioner Oglesby, Commissioner Olson

Voting Nay: Chair Champagne, Commissioner Fox

**Motion carries 5-2.**

### Project Details

The applicant has provided a project narrative and information packet for the proposed dog/pet boarding business, summarized below:

- Pet boarding service for dogs, cats, and small animals.
- One employee (applicant), with services provided on a one-on-one, appointment-only basis.
- Boarding activities to take place inside the house and within a fenced backyard.
- The pets of only one client will be accepted at a time.
- Clients will be instructed to park in the driveway for drop-off and pick-up.

The business, Elu & Friends Pet Care LLC, currently operates as a licensed and insured pet care business offering in-home visits, dog walking, and pet transportation. The applicant is seeking to expand the business by offering a limited in-home pet boarding service at the applicant's home. The proposed boarding operation is not a stand-alone business, but rather a supplemental offering for the existing business.

**30159 Brush Street**



### Home Occupation Details

Home occupations are defined in the Zoning Ordinance (Section 2.01) as, *“a business, business activity, profession, occupation, or trade activity operating within a dwelling unit by the resident(s), subject to the conditions and limitations of the Zoning Ordinance.”*

Home occupations are further divided into “minor” and “major” classifications. A Major Home Occupation is defined as, *“a home occupation that may be evident to the surrounding area and/or involve the resident utilizing an accessory building or outdoor areas for operations and/or being the type of occupation which involves routine client or non-resident visits to the home.”*

As the proposed pet boarding business involves routine client visits to the applicant’s home and involves pets using the backyard, staff has classified the proposed use as a Major Home Occupation. Major Home Occupations require Special Land Use approval and are subject to use-specific standards.

### Use-Specific Standards for Major Home Occupations.

Home occupations are subject to the use-specific zoning standards set forth in **Section 7.03.18** of the Zoning Ordinance, listed below:

- (1) The operation of the Major Home Occupation shall be conducted within the Dwelling Unit, attached or detached accessory building, or rear yard.*
- (2) The Major Home Occupation shall be conducted by the person or persons occupying the structure as their principal residence and up to two (2) non-resident employees. Additional employees may meet at the residence solely for purposes of receiving instructions regarding work to be conducted at another site or collection of equipment or materials necessary for their work at another site, or documents relating to their employment.*
- (3) One off-street parking space per employee is required in addition to the minimum required for the principal residential use. On-street parking shall not be counted toward required parking spaces.*
- (4) The Major Home Occupation shall not create negative impacts on surrounding residential property. No nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases, or matters at any time. No mechanical, electrical, or similar machinery equipment, other than that used for residential purposes, shall be utilized in the Major Home Occupation.*
- (5) The floor area dedicated to the Major Home Occupation shall not exceed 35% of the Gross Floor Area of the dwelling unit.*
- (6) Retail sales of goods must be entirely accessory to any service provided on the site, except for merchandise crafted on-site.*
- (7) Outside storage shall be located in the rear yard and must be fully screened from surrounding properties by an opaque fence.*
- (8) Customer or client business-related visits, deliveries, and non-resident employee arrivals and departures shall occur between 8:00 a.m. and 8:00 p.m.*
- (9) No signage shall be permitted, except where specifically required by law.*
- (10) No display of any kind shall be visible from the exterior of the premises.*

(11) Major Home Occupations shall not include the sales and/or service of weapons, guns, ammunition, fireworks, or any components thereof, nor a regulated use as regulated in Section 5.03.

(12) In addition to Special Land Use approval in accordance with Section 15.05, a Certificate of Occupancy shall be required for Major Home Occupations in accordance with Section 15.03.

The proposed pet boarding business appears to satisfy these use-specific standards. However, should City Council move to approve the Special Land Use, staff advises that all of the use-specific standards of Section 7.03.18 be incorporated and referenced as a condition of approval, except as further restricted by City Council.

## Site Analysis

### Existing Zoning and Land Use

The table below denotes existing adjacent land uses and zoning designations.

|       | Existing Land Use         | Existing Zoning             |
|-------|---------------------------|-----------------------------|
| Site  | Single-Family Residential | R-3, One-Family Residential |
| North | Single-Family Residential | R-3, One-Family Residential |
| South | Single-Family Residential | R-3, One-Family Residential |
| East  | Single-Family Residential | R-3, One-Family Residential |
| West  | Single-Family Residential | R-3, One-Family Residential |

The residential property is 0.12 acres (5,400 sq. ft.) in size and is located mid-block within a single-family residential neighborhood. The property is improved with a single-family house and an attached garage which is accessed via a driveway. Per the Madison Heights Zoning Ordinance, the R-3 zoning district is “designed to provide for one-family dwelling sites and residentially-related uses in keeping with the Master Plan of residential development in the City of Madison Heights.”

### Future Land Use and Master Plan

The table below denotes adjacent future land use designations as contained within the 2021 Madison Heights Master Plan.

|       | Future Land Use           |
|-------|---------------------------|
| Site  | Single-Family Residential |
| North | Single-Family Residential |
| South | Single-Family Residential |
| East  | Single-Family Residential |
| West  | Single-Family Residential |

The future land use designation of the subject site is *Single-Family Residential*.

City Council should consider the following Goals & Objectives of the 2021 Madison Heights Master Plan as part of this Special Land Use request:

## Housing

- *Ensure that infill and redeveloped residential properties are compatible with the surrounding area and adjacent parcels.*
- *Support neighborhoods by improving walkability and access goods and services.*

## Special Land Use Criteria

Requests for Special Land Use approval are subject to processes and review standards contained in Section 15.05. A public hearing is required in front of the Planning Commission, after which the Planning Commission may make a recommendation to City Council. After receiving a recommendation from the Planning Commission, City Council has the authority to take final action on Special Land Use requests.

City Council shall consider the Special Land Use review standards contained in Section 15.05.3 and incorporate them into any motion of approval or denial:

- A. The use is so designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
- B. The use is designed in a way that considers the natural environment and helps conserve natural resources and energy.
- C. The Special Land Use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- D. The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood, and vicinity. At a minimum, this shall include:
  - (1) Location of use(s) on site;
  - (2) Height of all improvements and structures;
  - (3) Adjacent conforming land uses;
  - (4) Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission;
  - (5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
- E. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
  - (1) Reduction in the number of ingress/egress points through elimination, minimization, and/or consolidation of drives and/or curb cuts;
  - (2) Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
  - (3) Reduction/elimination of pedestrian/vehicular traffic conflicts;
  - (4) Adequacy of sight distances;
  - (5) Location and access of off-street parking;

- (6) Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.

F. The use is consistent with the intent and purpose of the zoning district in which it is proposed.

In granting Special Land Use approval, City Council may impose conditions that it deems necessary to fulfill the spirit and purpose of the Zoning Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

### Staff Analysis

In deliberating the proposed pet boarding business, staff recommends that City Council focus on the impacts to the residential neighborhood and the applicant's ability to meet the use-specific standards for Major Home Occupations (Section 7.03.18), as well as the Planning Commission's formal recommendation for denial. Potential nuisances that could impact neighbors include excess sound from the dogs and additional traffic in the early and late hours of the day. The applicant has responded to these concerns within their Supplemental Information Packet. In order to remedy or mitigate these potential nuisances, staff recommends the following conditions should City Council present a motion for approval of the Special Land Use:

- 1) The pet boarding business shall at all times comply with the use-specific standards for Major Home Occupations, Section 7.03.18, as effective on the date of this approval, which shall be attached to the record of the Special Land Use approval, except as modified as part of this motion.
- 2) The pets of only one client shall be boarded at a time; at no point shall more than two (2) pets be boarded at any given time.
- 3) Client pick-up and drop-off of dogs shall be limited to one at a time and shall occur between the hours of 8:00 a.m. and 8:00 p.m.
- 4) A minimum of one (1) parking space shall be provided for clients on the residential driveway. Vehicles shall not overhang the public sidewalk.

### Next Step

After discussion, City Council may take action on the requested Special Land Use. Any motion shall include concise findings based upon the Special Land Use review standards and criteria, Section 15.03.3. Per Section 15.05, City Council alternatively may postpone action on a Special Land Use request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues, or remand the case back to the Planning Commission for reconsideration.

**Template motions are provided on the following page.**

### Attachments

- **Special Land Use Application - PSP #26-05**
- **Supplemental Information Packet – PSP# 26-05**
- **Draft Planning Commission Minutes – August 25<sup>th</sup>, 2026**
- **Associated Maps**
- **Section 3.07 – R1 One-Family Residential District**
- **Section 7.03.18 – Use-Specific Standards for Major Home Occupations**
- **Section 15.05 – Special Land Use Review**

### Template Motion, Findings and Conditions

Staff offers the following motions as a suggested template and guide for City Council's consideration. City Council may provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

#### APPROVAL

MOTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_, THAT CITY COUNCIL **APPROVE** SPECIAL LAND USE REQUEST NUMBER PSP 26-05 FOR A MAJOR HOME OCCUPATION IN THE FORM OF A PET BOARDING BUSINESS AT 30159 BRUSH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a pet boarding Major Home Occupation at 30159 Brush Street.
2. The Planning Commission held a public hearing for PSP 26-05 at their August 25<sup>th</sup>, 2026 special meeting.
3. The proposed pet boarding Major Home Occupation use is consistent with the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
  - a. The use is designed, located, and proposed to be operated in a way that protects the public health, safety and welfare.
  - b. The use will not involve activities that will be detrimental to adjacent residential land uses.
  - c. The use is designed and located so that it is compatible with the principal uses permitted in the R-3, One-Family Residential district
  - d. The use is designed and located so that it is compatible with the Madison Heights Master Plan and the Single-Family Residential future land use classification.
4. The use satisfies the use-specific standards for Major Home Occupations as contained in Section 7.03.18 – Use-Specific Standards for Major Home Occupations - as contained in Section 7.03.3 of the Madison Heights Zoning Ordinance.

#### APPROVAL IS GRANTED WITH THE **FOLLOWING CONDITIONS**

- 1) The pet boarding business shall at all times comply with the use-specific standards for Major Home Occupations, Section 7.03.18, as effective on the date of this approval, which shall be attached to the record of the Special Land Use approval, except as modified as part of this motion.
- 2) The pets of only one client shall be boarded at a time; at no point shall more than two (2) pets be boarded at any given time.
- 3) Client pick-up and drop-off of dogs shall be limited to one at a time and shall occur between the hours of 8:00 a.m. and 8:00 p.m.
- 4) A minimum of one (1) parking space shall be provided for clients on the residential driveway. Vehicles shall not overhang the public sidewalk.

DENIAL

MOTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_, THAT, BASED UPON THE PLANNING COMMISSION'S RECOMMENDATION, CITY COUNCIL HEREBY DENIES SPECIAL LAND USE REQUEST NUMBER PSP 26-05 FOR A MAJOR HOME OCCUPATION IN THE FORM OF A PET BOARDING BUSINESS AT 30159 BRUSH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a pet boarding Major Home Occupation at 30159 Brush Street.
2. The Planning Commission held a public hearing for PSP 26-05 at their August 25<sup>th</sup>, 2026 special meeting, where the Planning Commission recommended denial.
3. The proposed pet boarding Major Home Occupation use is not consistent with the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
  - a. The use is not designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
  - b. The Special Land Use will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
  - c. The use is incompatible with the surrounding properties, neighborhood, and vicinity in the following manners: [LIST ANY THAT APPLY]
    - i. Location of use(s) on site;
    - ii. Height of all improvements and structures;
    - iii. Adjacent conforming land uses;
    - iv. Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission;
    - v. Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
4. The use is not consistent with the intent and purpose of the R-3 zoning district in which it is proposed.
5. The use does not satisfy the use-specific standards for Major Home Occupations as contained in Section 7.03.18 of the Zoning Ordinance. In particular, *the Major Home Occupation shall not create negative impacts on surrounding residential property.*