



CITY OF MADISON HEIGHTS ZONING BOARD OF APPEALS APPLICATION

Application No.:

PZBA 23-0006

Date Filed:

(This application must be typed)

SUBMIT TWO ORIGINAL COPIES

1. **Petitioner:** Name: Kirk Neal
Address: 343 Cove View Dr
City: Waterford Twp State: Mi Zip: 48327
Telephone: (248) 842-4096 Fax: _____
Email: kirk@2spsports.com
2. **Petitioner's Interest in Property:** Company General Manager
3. **Property Owner:** (Attach list if more than one owner)
Name: TJ Property Management LLC (Joseph Neal Owner)
Address (Street): 29235 Stephenson Hwy
City: Madison Heights State: _____ Zip: _____
Telephone: (248) 842-4096 (248) 397-8945
Email: kirk@2spsports.com
4. **Property Description:**
Address: 29235 Stephenson Hwy
Tax Parcel #: 44 -25 - 11 - 376 -022
Legal Description - Attach if metes and bounds description.
If in a subdivision: Lot #: _____
Subdivision name: _____
Lot size: 1.72 acres
Size of proposed building or addition: 100ft deep x 80ft wide
5. **Present Zoning of Property:** M1 **Present Use:** Athletic Training Center
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
addition to existing building with a 20ft setback Variance

Contrary to the requirements of Section(s) sec 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 ☒ not by us

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

ZONING BOARD OF APPEALS APPLICATION

Application No.: _____

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 Kirk NealPrinted Name Kirk NealDate April 28, 2023**FOR THE APPLICANT IF NOT THE OWNER:**Signature Joseph NealPrinted Name Joseph NealDate April 28, 2023

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. PDF
- ☐ 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
 - D. Appeal of Administrative Decision \$400.00

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. _____

TJ PROPERTY MANAGEMENT LLC

A STRICTLY 2SP LLC COMPANY

29235 STEPHENSON HWY

MADISON HEIGHTS, MI 48071-2300

(248) 397-8945

ZONING BOARD

CITY OF MADISON HEIGHTS

300 13 MILE RD

MADISON HEIGHTS, MI 48071

TO THE BOARD:

THE FOLLOWING ARE ANSWERS TO THE QUESTIONS FOR OUR ZONING BOARD OF APPLICATION

- A. WE ARE ASKING FOR A VARIANCE OF 20 FEET OF THE 50 FOOT SETBACK RULE FOR M1 TO RESIDENTIAL AREAS (SEC 10.401) OF THE ZONING ORDINANCE
- B. ALTHOUGH OUR BUILDING IS NOT SPECIAL COMPARED TO OTHERS ALONG OUR STRETCH OF STEPHENSON HWY (WEST SIDE BETWEEN 12 MILE RD & WHITCOMB) THERE ARE SEVERAL BUILDINGS WHICH CURRENTLY ARE SETBACK FUTHER THAN THE ORDINANCE ALLOWS. INCLUDING: 29787 (M1), 30545 (M1), 30671 (B1), 30775 30781 30785 (B1), 31051 (M1), 31465 (M1)
- C. TJ AND 2SP DO NOT FEEL DEPRIVED OF RIGHTS, BECAUSE IT IS OUR RIGHT TO ASK FOR THIS VARIANCE AS IT IS WITH OTHERS.
- D. OUR ACTIONS HAVE MADE IT NECESSARY TO EXPAND OUR FACILITY TO MEET THE NEEDS OF OUR BUSINESS. ALSO, OURS IS A SINGLE SPAN BUILDING WHICH IS RARE IN MADISON HEIGHTS. THE ADDITION WILL BE SINGLE-SPAN AS WELL AS THE CURRENT BUILDING.
- E. WE WILL CONTINUE TO RUN OUR BUSINESS HERE. HOWEVER, WITHOUT THIS VARIANCE THE BUILDABLE SPACE WOULD NOT MEET OUR SIZE REQUIREMENTS NOR WOULD IT BE ECONOMICALLY FESABILE TO BUILD HERE. WE HAVE EXPLORED LOOKING IN MADISON HEIGHTS FOR AN ADDITIONAL BUILDING THAT MEETS OUR SINGLE-SPAN REQUIREMENTS TO NO AVAIL.
- F. YES, GRANTING THE VARIANCE WOULD CHANGE THE CHARACTER OF THE AREA, FOR THE BETTER. DIRECTLY BEHIND THE BUILDING WILL BE IMPROVED TO LOOK FINISHED AND CLEAN.

NOTE: TJ AND 2SP HAVE BEEN IN MADISON HEIGHTS SINCE 2008. WILL MEET ALL BUILDING CODE REQUIREMENTS AND WILL BE OFFERING LANDSCAPING AS DESIRED BY THE CITY AND OUR IMMEDIATE RESIDENTIAL NEIGHBORS. (29214,29224, & 29234 MARK AVE)

AERIAL MAP: NO SCALE



PROJECT DATA:

PROJECT NAME: 25P SPORTS PERFORMANCE
APPLICANT INFO:
25P SPORTS PERFORMANCE, LLC
29235 STEPHENSON HWY.
MADISON HEIGHTS, MI 48071
APPLICANT REPRESENTATIVE:
KIRK NEAL 248-342-4258
SITE ZONING: M-1 LIGHT INDUSTRIAL
SPACE USE: SPORTS TRAINING FACILITY
SITE AREA: 63,940 SQ. FT. (1.47 ACRES)
BUILDING SIZE: 29,596 SQ. FT.
PROPOSED BUILDING ADDITION: 9,100 SQ. FT.
TOTAL PROPOSED BUILDING AREA: 34,696 SQ. FT.
MAXIMUM BUILDING HEIGHT: 40'-0"
FRONT SETBACK: 30'-0"
REAR SETBACK: 30'-0" (AS/VS RESIDENTIAL)
SIDE YARD SETBACK: 20'-0" (ONE MINIMUM)

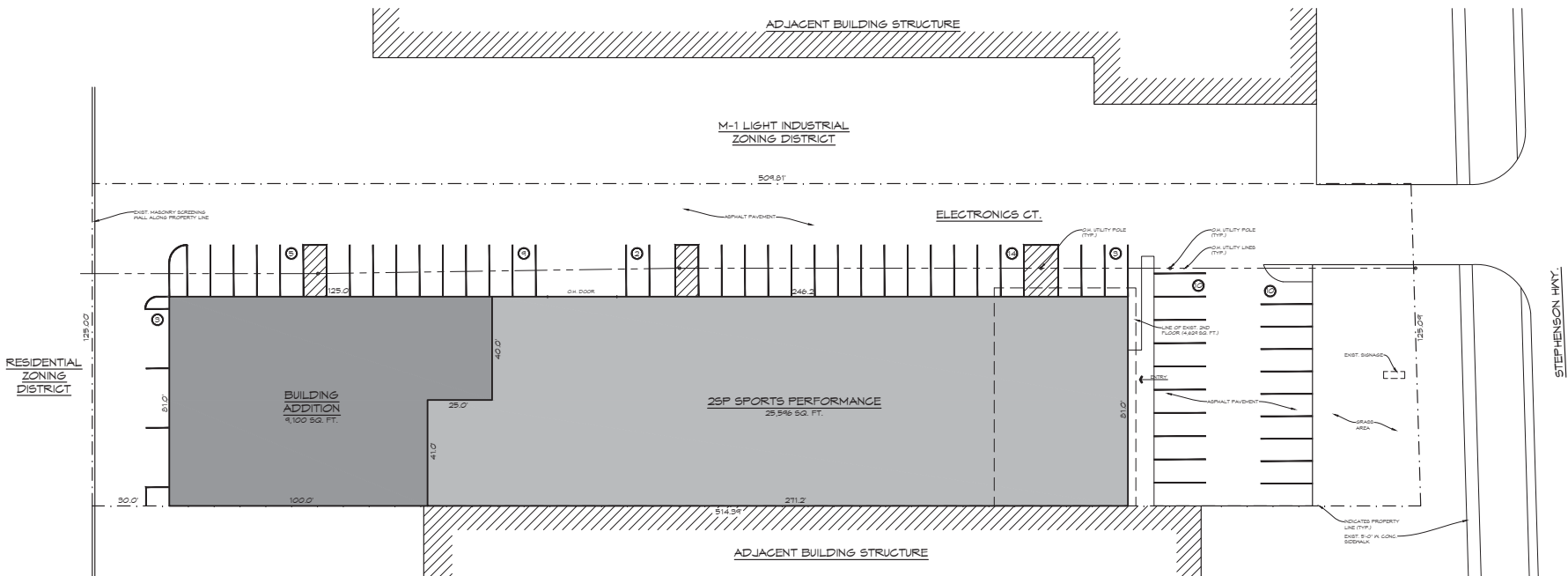
PROPERTY DESCRIPTION:

PRM: 44-25-11-378-022
LAND IN THE CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN,
DESCRIBED AS:
PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH,
RANGE 11 EAST, DESCRIBED AS: THE SOUTH 128 FEET OF THE NORTH 480 FEET
OF THE FOLLOWING DESCRIBED PARCEL, BEGINNING AT A POINT DISTANT
SOUTH 63 DEGREES 55 MINUTES 10 SECONDS WEST 126.11 FEET AND NORTH
00 DEGREES 49 MINUTES 00 SECONDS WEST 224.42 FEET FROM THE SOUTH 1/4
CORNER, THENCE NORTH 00 DEGREES 49 MINUTES 00 SECONDS WEST 193.04
FEET, THENCE NORTH 34 DEGREES 18 MINUTES 00 SECONDS EAST 498.30 FEET
TO THE WEST RIGHT-OF-WAY LINE OF STEPHENSON HWY., THENCE ALONG A
CURVE TO THE RIGHT, RADIUS 360.98 FEET, CHORD BEARS SOUTH 02 DEGREES
58 MINUTES 00 SECONDS EAST 791.10 FEET, DISTANCE OF 791.14 FEET, THENCE
SOUTH 02 DEGREES, THENCE SOUTH 02 DEGREES 19 MINUTES 10 SECONDS
EAST 340.24 FEET, THENCE SOUTH 04 DEGREES 04 MINUTES 00 SECONDS WEST
114.49 FEET, THENCE SOUTH 81 DEGREES 30 MINUTES 30 SECONDS WEST 491.79
FEET TO THE POINT OF BEGINNING.

PARKING CALCULATIONS:

INDOOR RECREATIONAL FACILITY:
55 SPACES PROPOSED/PROVIDED
TO BE DETERMINED BY THE SITE PLAN REVIEW COMMITTEE BASED ON
PARKING DEMAND DATA PROVIDED BY THE APPLICANT.

- PRELIMINARY 04/19/2023
- ☐ CLIENT APPROVAL
 - ☐ BIDDING
 - ☐ PERMIT
 - ☐ CONSTRUCTION
 - ☐ REVISIONS



NOTE:
A COMPLETE CURRENT TITLE POLICY
HAS NOT BEEN FURNISHED.
THEREFORE, ENCUMBRANCES & OTHER
ENCUMBRANCES MAY NOT BE SHOWN.

DESIGN SITE PLAN
SCALE: 1" = 20'-0"



PROJECT LOCATION
25P SPORTS
PERFORMANCE, LLC
BUILDING ADDITION

29235 STEPHENSON HWY.
MADISON HEIGHTS, MI 48071

DRAWING TITLE:
DESIGN SITE PLAN

VARIANCE REQUESTED:
30' REAR YARD SETBACK
- 20' VARIANCE

DRAWN: RZ
CHECKED: SCD/JNM
APPROVED: SCD/JNM

DO NOT SCALE THIS PRINT
USE FIGURED DIMENSIONS ONLY

PROJECT NUMBER: D10240323
SHEET NUMBER: DD-1