



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

I. APPLICANT INFORMATION

Applicant Smokin' Bear Tobacco
 Applicant Address 31075 John R. Rd., Ste C2
 City Madison Heights State MI ZIP 48071
 Interest in Property (owner, tenant, option, etc.) Tenant
 Contact Person Matthew Abro
 Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION

Property Address(es) 31075 John R Rd
 Tax ID(s) 47-2354010 Zoning District B-1
 [PROVIDE SURVEYS AND LEGAL DESCRIPTIONS OF ALL PROPERTIES ON SEPARATE SHEETS]
 Owner Name (if different than applicant) South Lyon Company, LLC
 Address 47448 Pontiac Trail, Ste 285
 City Wixom State MI Zip 48393
 Telephone Number [REDACTED] Email Address [REDACTED]

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name Rich Sulaka Company Rich Sulaka Law Firm
 Address 380 N Old Woodward, Ste 300
 City Birmingham State MI Zip 48009
 Telephone Number [REDACTED] Email Address [REDACTED]

IV. NATURE OF REQUEST

- Standard Rezoning
- Rezoning with Conditions

Current Zoning Designation B-1 Proposed Zoning Designation B-2

V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief description explaining need for proposed map amendment:

Applicant is unable to open in location where previous tobacco shop operated. Landlord's property is unduly burdened compared to those properties immediately adjacent to the East as well as due North.

Required Attachments:

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

VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Map Amendment application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name Matthew Abro Signature *Matthew Abro* Date 03-10-2026

VII. PROPERTY OWNER CERTIFICATION

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

Printed Name Becker Almufti Signature *[Signature]* Date 03-10-2026

Notary for Property Owner:

Subscribed and sworn before me, this 10 day of March, 2026
 A Notary Public in and for Wayne County, Michigan.
 Notary Name (Print): Evanjeleen Alaaraj
 Notary Signature: *[Signature]*
 My Commission Expires: 4-17-2032

Notary Stamp
 Evanjeleen Alaaraj
 Notary Public - State of Michigan
 County of Wayne
 My Commission Expires April 18, 2032
 Acting in the County of Wayne

STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE (\$1,500): \$1,500 REZONING NO.: PRZN # 26-01
 DATE APPLICATION RECEIVED: 3/11/26 RECEIVED BY: MDL

STANDARD REZONING: RESPONSE FORM

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

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

The site's physical, geological, hydrological, and environmental features are identical to those of the B2 district adjacent to the property's immediate East on the northbound side of John R Rd, thus entirely compatible with the rezoning to the proposed B2 zoning district.

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

As stated above, similarly situated properties due North and immediately adjacent to the East are both heavier use MUI-2 and B-2. There would be no detrimental impact to the environment, density, nature of use, traffic aesthetics, infrastructure, or potential influence on property values, as, in addition to the above-mentioned properties, the subject-property was previously permitted to operate tobacco shops prior to the updated zoning map in 2024.

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

Madison Heights Master Plan did not consider the interruption of small business owners and the undue burden of similar situated parcels. As noted above, this proposed change is consistent with the goals, policies, and objectives of the Madison Heights Master Plan and encourages the active investment and development of vacant properties in the city.

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

The boundaries will remain the same and provide equal access and business diversity between businesses on the northbound and southbound sides of John R Rd.

REZONING APPLICATION

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

The requested district provides equal access to businesses of a similar nature to vehicles traveling on southbound John R as those traveling on northbound John R. This will improve traffic flow by allowing customers access to equivalent retail businesses along their route of travel without having to execute a left-hand turn across directional traffic.

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

While the tenant is requesting the rezoning, the landlord has approved its requested because his property is being unduly burdened compared to the property similarly situated on the northbound traveling side of John R Rd. As noted above, the rezoning as proposed increases traffic efficiency along John R.

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

The requested rezoning prevents and isolated and exclusionary B-2 zoning on the northbound side of John R Rd. By approving the rezoning, the map provides a B-2 zoning district on opposite sides of John R Rd for similarly situated parcels.

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

As noted above, the capacity of the street system has previously accommodated the expected traffic generated by the uses permitted without issue, and a rezoning to a B2 district would increase traffic-flow efficiency.

THIS BUILDING IS REQUIRED TO CONFORM TO THE STATE REQUIREMENTS FOR PHYSICALLY HANDICAPPED

FOR THE WORKSHOP FOR APPROVED FOR BUILDING PERMIT

DESIGNED BY: *John R. Kurmas*
 CHECKED BY: *John R. Kurmas*
 DATE: *10/1/80*

STATE OF MARYLAND
 DEPARTMENT OF GENERAL SERVICES
 PERMIT DIVISION

NOTICE TO PERMIT APPLICANTS

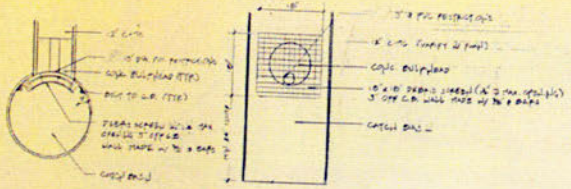
These plans were approved for the purpose of obtaining a building permit. It is the responsibility of the permit applicant to ensure that the work is done in accordance with the approved plans and all applicable laws and regulations.

THOMAS W. KURMAS & ASSOCIATES
 ARCHITECTS • ENGINEERS • PLANNERS • DESIGNERS
 4400 TELEGRAPH ROAD • BELTSVILLE, MARYLAND 20814

A New Office Building For Mobilitronics
 31075 John R
 Madison Hts., Md.

4967

SD-1



C.B. Outlet Restriction Detail

CONSTRUCTION SPECIFICATIONS

1. Install stone filter berm across the proposed stream at the property line. Install all other perimeter erosion controls as shown on the plan.
2. Install stone weirs. Place catch basin inlet/filters (before paving type) on all catch basins within proposed paved areas. Place catch basin inlet filters (after paving type) on all catch basins in proposed areas.
3. Place grade after. Sloppage topsoil as required. Maintain all soil erosion controls.
4. Finish grade within proposed paved areas and remove catch basin inlet filter (before paving type). Place pavement and install catch basin inlet filter (after paving type) two days after paving.
5. Install all other erosion controls, i.e. gab. electroretic, etc., as required.
6. Stabilize topsoil as required. Maintain all soil erosion controls.
7. Stabilize earth in accordance with the landscape plan. Seed and mulch or sod all other disturbed areas as required.
8. Clean all accumulated sediment from sumps, catch basins and pavement. Remove all temporary erosion controls including the catch basin inlet filters and stone filter berm across drive.
9. Re-sod and mulch or reseed as required for newly with the "T" above.
10. It is the responsibility of the developer to insure that the above operations are done and maintained until the entire site is stabilized.

GENERAL NOTES

- 1) Existing structures, utility locations, sewer leads, water service and existing catch basins shall be shown on the plan. Owner is to determine true survey locations and Contractor must verify all locations and elevations prior to commencing work. Engineer must be notified immediately if any discrepancies arise.
- 2) Owner must obtain permission from affiant property owners prior to performing any work on affiant.
- 3) Contractor must insure that all areas under and affiant have positive surface flow to drainage system.
- 4) Owner is responsible for verification that there are no encroachments that affect this property development.
- 5) Owner must verify with local and state authorities that all encroachments, affiant and utility work are in accordance with their specifications and regulations.
- 6) All affiant flow to remain as before improvements. In case of interference with the affiant flow, proper affiant drainage must be provided so that affiant drainage remains adequate.
- 7) Owner is responsible for verification with all governing agencies that a 1" (one inch) flow (1.48) to the existing storm system is allowable and that no onsite improvements are below flood plain elevations.

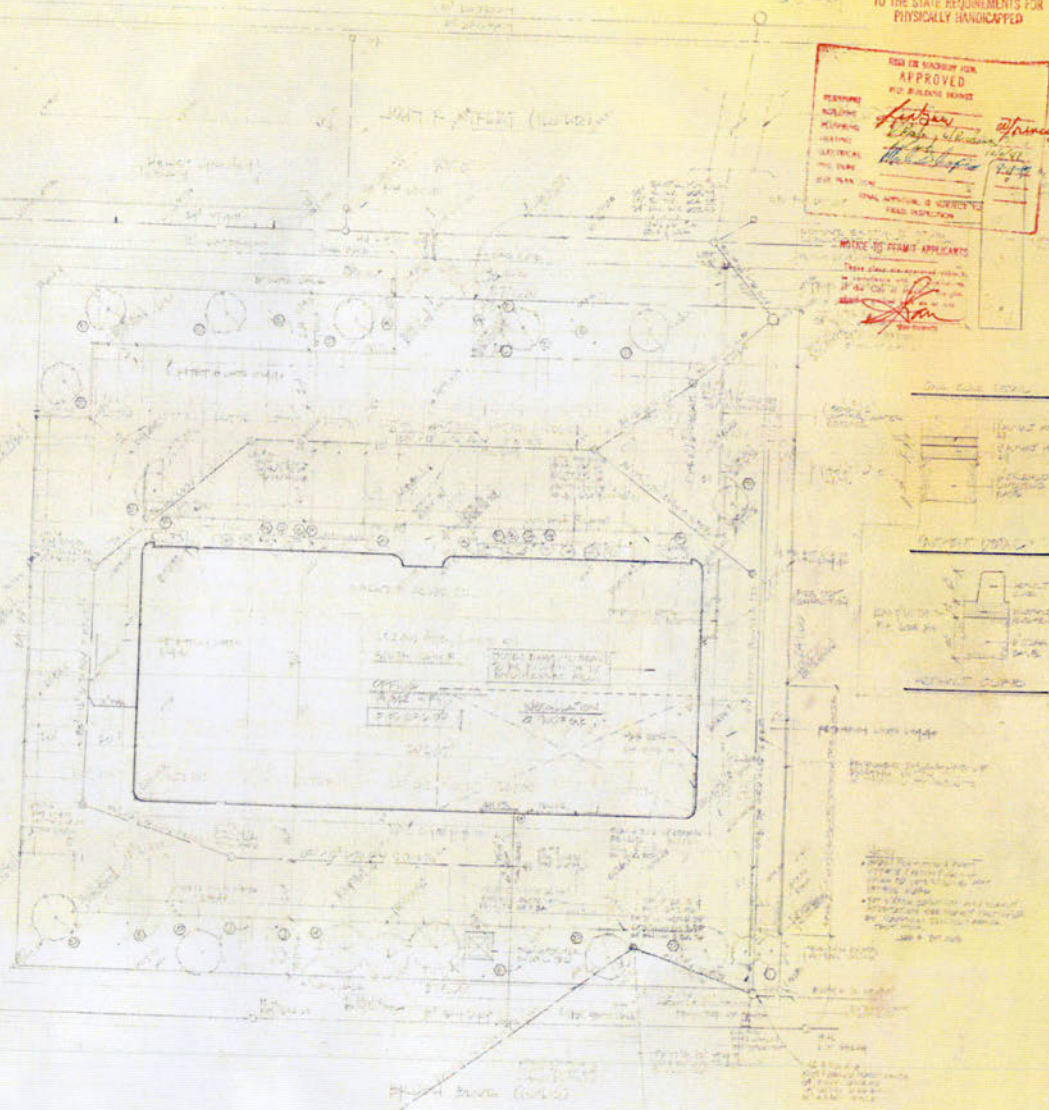
TEMPORARY SOIL EROSION CONTROL MEASURES

1. Stone filter berm.
2. Stone weir beam.
3. Catch basin inlet filters (before and after paving type).

Temporary soil erosion control measures shall be constructed as shown on the plan and maintained until all disturbed areas are stabilized.

Location Map

Site Plan



31075 John R
 City Copy

