

Zoning Board of Appeals
Madison Heights, Michigan
September 04, 2025

A Zoning Board of Appeals was held on Thursday, September 04, 2025, at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Rd.

[DRAFT]

PRESENT: Chair Kimble and members: Aaron, Covert, Fleming, Holder, Marentette, Sagar, and Thompson

ABSENT: Corbett, Loranger, and Oglesby

ZBA 27-25. Minutes.

Motion made by Ms. Holder, Seconded by Ms. Marentette, to approve the August 7, 2025, Meeting Minutes as presented.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 28-25. Excuse member(s).

Motion made by Ms. Aaron, Seconded by Ms. Holder, to excuse Mr. Del Loranger and Mr. Clifford Oglesby.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 29-25. Case # PZBA #25-09: 1485 W. 14 Mile Road

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

REQUEST

The applicant, Spectrum Neon, on behalf of property owner Johnny Shouneyia, requests one (1) dimensional variance from the Madison Heights Zoning Ordinance pertaining to wall signage. The subject property is located at 1485 W. 14 Mile Road (tax parcel # 44-25-02-102-001) and is zoned B-1, Neighborhood

Business. The property is located at the southeast corner of 14 Mile Road and Campbell Road and is improved with a grocery store.

The applicant requests a variance from Section 12.07.2 of the Zoning Ordinance which sets a maximum total wall sign area of 150 square feet for the tenant space's primary front facade. As part of a rebranding for the grocery store, the applicant proposes to install five (5) new signs (including two logo signs) with a total square footage of 256.5 square feet on the north facade, requiring a 106.5 foot dimensional variance.

Proposed Wall Signs

The applicant proposes five (5) new wall signs on the primary north façade of the grocery store, including one (1) primary wall sign, two (2) secondary wall signs and two (2) logo signs:

- Primary Sign ("Holiday Market"): 102.5 square feet. Internally-illuminated channel letters.
- Secondary Signs ("Premium Meats" and "Specialty Grocery"): 33 sq. ft. and 27 sq. ft, respectively. 60 sq. ft. total. Internally-illuminated channel letters.
- Logo Signs: 47 sq. ft. each. 94 sq. ft. total. Non-illuminated aluminum frame.

Based on the tenant space's frontage along the street and its large setback from the road, the tenant is afforded a total wall area allowance of 150 square feet along the front facade. The Zoning Ordinance does not cap the total number of wall signs on a single façade.

VARIANCE FINDINGS AND CRITERIA

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

- A. That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and

B. That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and

C. That the plight of the owner is due to unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and

D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and

E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and

F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

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

STAFF ANALYSIS

The applicant has provided written responses addressing the variance criteria of Section 15.06.2 of the Zoning Ordinance. As justification for the variance, the applicant primarily cites branding expectations, the store's location at a busy intersection within a strip mall, and the lack of negative impact on adjacent businesses and properties.

Practical difficulties relating to a dimensional variance request should generally relate to unique physical constraints on the property, including but not limited to natural features (e.g. wetlands, topography, soil situations) or extraordinary

parcel shape. Where physical constraints severely limit the ability to place a legal wall sign on the property, variances may be warranted.

ZBA ACTION

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

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.

The applicant, John Hadad of Spectrum Neon at 1280 Kempar Avenue, spoke on behalf of property owner Johnny Shouneyia. He stated that they worked with the owners to develop new branding for Holiday Market, which is envisioned as a more upscale store. The signage, including logos and taglines ("premium meats," "specialty groceries"), was designed to fit the building's facade and architectural shape, avoiding oversized letters. He emphasized that the logos are an important part of their branding, like a Ford emblem, and fill empty spaces on the building, especially given the arched window underneath. The store is intended to be a flagship store for the Holiday Market chain, like their Royal Oak location, though the architecture and signage layout differ due to available "real estate". The proposed signs are not illuminated but are graphics. He also mentioned that the existing signage is difficult to read from the road, and the new design aims for better visibility and balance. The letters on the sides will be about the same size, with the main change being the addition of the two logos. Mr. Hadad's reply to Ms. Marentette's inquiry; the placement of the two logo signs that won't be illuminated is to identify the brand and balance the facade. Mr. Hadad's reply to Mr. Sagar's inquiry; the "premium meats" and "specialty groceries" signs are crucial for grocery stores to convey what's inside, especially for a Holiday Market, differentiating it from typical supermarkets. Mr. Sagar suggests their removal could reduce the variance. Regarding monument signs at the road, the applicant confirmed that the "Value Center" panel would be replaced with "Holiday Market" to identify the store from the road. However, monument signs are considered "semi-effective" compared to building signage for locating a business, especially since the building is set back.

The applicant's son, John Hadad compared the Madison Heights location to the Royal Oak Holiday Market, which, while having similar branding, incorporates

more extensive graphic images and taglines across its entire facade due to different architecture and shallower parking.

Assistant City Attorney Burns expressed concern that the commission had recently granted an "overly generous variance allowance" for monument signage to this applicant and urged consideration of the city's substantial investment in redoing the zoning ordinance, which aims to maintain standards.

City Planner Lonnerstater clarified that the previous zoning ordinance was more generous, allowing up to 500 square feet for business districts in some cases, which explains why fewer variances were needed then. The current ordinance sets a base maximum of 100 square feet, with an additional 50 square feet bonus for extensive setbacks from the road or long building lengths, bringing the total to 150 square feet. He noted this request is an "extensive variance request" under the stricter new ordinance. City Planner Lonnerstater also mentioned that a previous Asian market variance was for 50 square feet or less.

Motion made by Ms. Aaron, and Seconded by Mr. Sagar, to move that the Zoning Board of Appeals APPROVE the dimensional variance application to allow total wall signage measuring 256.5 square feet on the north-facing building facade at the subject property located at 1485 W. 14 Mile Road. This motion being made after the required public hearing based upon the following findings:

- 1) That Section 12.07.2 of the Zoning Ordinance sets a maximum area of one-hundred fifty (150) square feet for the tenant space's primary front (north) façade, and the applicant is requesting a 106.5 square foot variance.
- 2) That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and
- 3) That the plight of the owner is due to unique circumstances of the property, including large setbacks from the adjacent public street and extensive building frontage; and
- 4) That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- 5) That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent

and purpose of this Ordinance or the public health, safety, and general welfare of the community; and

6) That the need for the requested variance is not the result of actions of the property owner or previous property owners.

Approval is granted with the following conditions designed to ensure compliance with the intent and purpose of the sign regulations:

1) Total wall sign area on the north façade shall not exceed 256.5 square feet, as the variance runs with the land.

2) Future face changes of the wall sign or replacement wall signs shall be reviewed administratively in accordance with Article 12 of the Zoning Ordinance, subject to the conditions set with the variance approval.

Voting Yea: Aaron, Covert, Councilman Fleming, Kimble, Marentette, Sagar, and Thompson

Voting Nay: Holder

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

ZBA 30-25. Public Comment: For items not listed on agenda.

Seeing no one wished to comment, Chair Kimble opened public comment at 7:58 p.m. and closed the public comment at 7:59 p.m.

ZBA 31-25. Member updates.

City Planner Lonnerstater informed the board about the Michigan Association of Planning Conference, scheduled for October 22nd to 24th in Kalamazoo, noting that one or two spaces might be available for board members.

ZBA 32-25. Adjournment.

Motion made by Ms. Holder, Seconded by Ms. Aaron.

Voting Yea: Aaron, Covert, Councilman Fleming, Holder, Kimble, Marentette, Sagar, and Thompson

Absent: Corbett, Loranger, and Oglesby

Motion Carried.

There being no further business, Chair Kimble adjourned the meeting at 8:00 p.m.