



CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
ZONING BOARD OF APPEALS (ZBA) APPLICATION

I. APPLICANT INFORMATION

Applicant Ahmad Nassar
Applicant Address 4800 West Fort Street
City Detroit State MI ZIP 48209
Interest in Property (owner, tenant, option, etc.) Owner
Contact Person Ahmad Nassar
Telephone Number 313-587-1862 Email Address ahmad@detroit75.com

II. PROPERTY INFORMATION (IF APPLICABLE)

Property Address 32275 Stephenson Hwy
Tax ID 25-02-101-036 Zoning District MUI-2
Owner Name (if different than applicant) _____
Address _____
City _____ State _____ Zip _____
Telephone Number _____ Email Address _____

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name _____ Company _____
Address _____
City _____ State _____ Zip _____
Telephone Number _____ Email Address _____

IV. NATURE OF REQUEST

- Dimensional (Non-Use) Variance
- Appeal of Administrative Decision
- Zoning Text or Map Interpretation
- Alteration of Non-Conforming Use

Brief Description of Request

Responses on Seperate Sheet

Required Attachments: Refer to ZBA Review Standards Response Form and Checklist (attached).

V. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Zoning Board of Appeals 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). I hereby affirm that all of the information submitted with and including this application are correct and truthful to the best of my knowledge.

Printed Name Ahmad Nassar Signature Ahmad Nassar Date 2/10/25

VI. PROPERTY OWNER CERTIFICATION

By signing below, I (property owner) understand that the application to the City of Madison Heights has been made for land use matters to be considered and decision made by the Zoning Board of Appeals that will affect use of my property. I hereby affirm that all of the information submitted with and including this application are correct and truthful to the best of my knowledge.

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 Ahmad Nassar Signature Ahmad Nassar Date 2/10/25

Notary for Property Owner:

Subscribed and sworn before me, this ___ day of _____, 20__.

Notary Stamp

A Notary Public in and for _____ County, Michigan.

Notary Name (Print): _____

Notary Signature: _____

My Commission Expires: _____

STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE: _____	ZBA NO.: PZBA # _____
➤ DIMENSIONAL VARIANCE/NON-CONFORMING USE:	DATE APPLICATION RECEIVED: _____
○ Single-Family: \$300	RECEIVED BY: _____
○ Multi-Family/Non-Residential: \$400 + \$300 per additional variance	
➤ Appeal/Interpretation: \$400	

SECTION D: DIMENSIONAL (NON-USE) VARIANCE

Check here for a Dimensional (Non-Use) Variance (Section 15.06 of Zoning Ordinance)

1. List Section number(s) from which a variance is requested:

Section 8.05.5	F. Materials
Section 12.07	Sign Height

2. Provide a description of the proposed work and why the anticipated variances are needed.

Responses on Seperate Sheet

3. Explain how strict compliance with area, setbacks, frontage, height, bulk, density, or other dimensional standards would unreasonably prevent the owner from using the property for a permitted purpose, thereby rendering the conformity unnecessarily burdensome for other than financial reasons.

Responses on Seperate Sheet

4. Explain how a variance would 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 is not of itself deemed sufficient to warrant a variance.

Responses on Seperate Sheet

5. Explain how the plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic environmental conditions, or other physical situation(s) on the land, building, or structure.

Responses on Seperate Sheet

ZBA APPLICATION

6. Explain how the requested variance(s) is/are the minimum amount necessary to permit reasonable use of the land, building, or structure.

Responses on Seperate Sheet

7. Describe how the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purposes of the Zoning Ordinance or the public health, safety, and general welfare of the community.

Responses on Seperate Sheet

8. Describe how the need for the variance(s) is not the result of actions of the property owner or previous property owners.

Responses on Seperate Sheet

9. Provide conceptual site plan or plot plan, properly scaled, showing: dimensions from street/property lines, sidewalks, building on site and on adjoining properties, easements, and other facilities, structures, and site conditions pertaining to the variance or alteration request. (Refer to Checklist included in this application).

Brief Description of Request / Summary

1. Monument Sign Replacement (24' vs. 8')

- Replacing 80-year-old deteriorating sign
- Maintains existing height matching neighboring businesses
- Critical for visibility and customer navigation
- Preserves historical precedent and area standards
- No impact on streetscape or safety

2. Rear Screen Wall Material

- UV-resistant fabric on non-public facing wall
- Professional maintenance and seasonal updates
- Matches successful implementations at other locations
- No visibility from public right-of-way
- Exceeds durability and quality standards

Key Justifications

- Historical Precedent: Both variances maintain established property features
- Minimum Impact: Requests represent most conservative solutions possible
- Area Consistency: Aligns with neighboring property standards and rights
- Public Benefit: Enhances streetscape while preserving safety and aesthetics
- Ordinance Intent: Upholds spirit of regulations while enabling reasonable use

2. Provide a description of the proposed work and why the anticipated variances are needed

Proposed Work:

- **Monument Sign Replacement:**
 - Replacing deteriorating 24-foot monument sign (80-year fixture)
 - New sign: same height, modern design, improved aesthetics
- **Fence Covering Material:**
 - Installing UV-resistant fabric covering on rear screen wall (not visible to public)
 - This material will be decorative and durable, with seasonal rotation and maintenance to align with our brand standards.

Why the Variances Are Needed:

- **Sign Height:**
 - Our 24-foot sign height aligns perfectly with established area standards, matching neighboring businesses including McDonald's, Hampton Bay Hotel, Rodeway Inn, and Baymont Inn
 - Maintaining our historical 24-foot sign height ensures continued optimal visibility and seamless customer navigation, preserving decades of wayfinding
- **Fence Covering Material:**
 - The ordinance prohibits attaching materials to fences visible from public rights-of-way. However, our request only applies to a private, rear-facing screen wall.
 - The material is not temporary or low-quality—it is UV-resistant, durable, and professionally maintained, ensuring compliance with the ordinance's intent to prevent deterioration.

3. Explain how strict compliance with area, setbacks, frontage, height, bulk, density, or other dimensional standards would unreasonably prevent the owner from using the property for a permitted purpose, thereby rendering the conformity unnecessarily burdensome for other than financial reasons.

Monument Sign Height Variance (24' vs 8')

Business Impact

- Current 24-foot sign serves as an 80-year landmark for customer navigation
- Reduction to 8 feet would severely impair visibility in an area where all neighboring businesses maintain signs at or above 24 feet
- Essential for maintaining competitive parity in our Mixed-Use Innovation (MUI-1) zoning district

Area Consistency

- Maintaining 24-foot height preserves established streetscape patterns
- Aligns with existing corridor standards and neighboring business signs
- Supports the diverse, mobile customer base characteristic of MUI-1 districts

Screen Wall Material Variance

Strategic Enhancement

- Premium UV-resistant, fade-proof material selected for longevity
- Professional seasonal design updates ensure continued aesthetic appeal
- Transforms basic chain-link into functionally enhanced screening element

Zero Public Impact

- Installation limited to rear, non-public-facing wall
- No visibility from public right-of-way or adjacent properties
- Exceeds ordinance's intent for preventing unsightly materials

Quality Assurance

- Material specifically chosen for durability and weather resistance
- Regular maintenance program ensures lasting aesthetic value
- Professional installation and updates maintain high standards

4. Explain how a variance would 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 is not of itself deemed sufficient to warrant a variance.

Monument Sign Height (24 feet instead of 8 feet):

- **Established Area Standard:** Our 24-foot sign height matches the existing commercial corridor standard, as demonstrated by neighboring businesses:
 - Hampton Bay Hotel (directly across the street)
 - McDonald's
 - Rodeway Inn
 - Baymont Inn
- **Historical Precedent:** Our sign has stood at 24 feet for 80 years, establishing a clear historical property right that predates current regulations
- **Zoning District Consistency:** This height maintains parity with other MUI-1 zoned businesses, ensuring equal visibility and competitive fairness
- **Ordinance Alignment:** Rather than introducing new standards, this variance preserves an established pattern that has successfully served the corridor for decades

Fence Covering Material (Rear, Nonpublic-Facing Screen Wall):

- **Brand Consistency:** This variance preserves our established property right to maintain consistent branding across locations, following successful implementations in Detroit and Troy
- **Zero Public Impact:** The screen wall's rear location ensures complete privacy, making it exempt from the ordinance's primary focus on regulating public-facing fences
- **Premium Materials:** Our chosen materials exceed quality standards through:
 - UV-resistant composition
 - Professional seasonal maintenance
 - Long-term durability
 - Enhanced aesthetic appeal

- **Equal Treatment:** Multiple businesses in the area utilize similar decorative elements not explicitly covered by the ordinance, making this request consistent with established property rights

5. Explain how the plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic environmental conditions, or other physical situation(s) on the land, building, or structure.

Monument Sign Height: Site-Specific Conditions

Commercial Corridor Context

- Property situated in established business district with standardized 24-foot signage
- Historical 80-year presence creates critical customer wayfinding landmark
- Existing trees along Stephenson Highway impact visibility requirements

Visibility Challenges

- Complex roadway conditions require enhanced sign visibility
- Surrounding building heights affect sight lines
- Traffic patterns demand clear business identification

Competitive Environment

- Neighboring businesses maintain 24-foot+ signage:
 - Adjacent hotels
 - Nearby fast-food establishments
 - Other corridor businesses
- 8-foot restriction would create significant competitive disadvantage

Screen Wall Material: Property-Specific Factors

Strategic Location

- Rear wall placement eliminates public visibility
- Site orientation naturally shields from right-of-way
- Property layout creates private, contained installation area

Material Requirements

- 100% UV-resistant composition essential for durability
- Long-term outdoor exposure demands premium materials
- Alignment with Detroit and Troy location standards

Functional Considerations

- Enhanced aesthetic value for non-public areas
- Brand continuity across multiple locations
- Zero impact on public-facing elements

6. Explain how the requested variance(s) is/are the minimum amount necessary to permit reasonable use of the land, building, or structure.

Monument Sign Height (24 feet instead of 8 feet):

Current Standard Maintenance

- 24-foot height matches established area norm (McDonald's, Hampton Bay Hotel, Rodeway Inn, Baymont Inn)
- Preserves existing 80-year height precedent
- Represents no increase from historical dimensions

Visibility Requirements

- Essential for customer navigation, especially while driving
- Maintains parity with surrounding business signage
- Ensures practical business identification from typical viewing distances

Visual Integration

- Modern design aligns with area aesthetic standards
- Professional maintenance program
- Eliminates potential for visual clutter

Screen Wall: Minimum Material Requirements

Limited Scope

- Applies exclusively to rear, non-public facing wall
- Preserves ordinance compliance for all street-facing elements
- Maintains existing fence structural integrity

Material Specifications

- Premium UV-resistant composition
- Professional-grade durability standards
- Engineered for long-term performance

Quality Assurance

- Regular seasonal design updates
- Ongoing professional maintenance
- Exceeds city standards for property aesthetics

Brand Alignment

- Matches successful implementations at other locations
- Enhances overall property appearance
- Prevents deterioration of guest experience

7. Describe how the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purposes of the Zoning Ordinance or the public health, safety, and general welfare of the community.

Monument Sign Variance (24' vs 8')

Impact Analysis

Community Integration

- Maintains existing 80-year height precedent
- Matches neighboring business signs (McDonald's, Hampton Bay Hotel, Rodeway Inn, Baymont Inn)
- Enhances area aesthetics through modern design and professional maintenance

Ordinance Alignment

- Preserves established streetscape patterns
- Creates no new visual obstructions
- Maintains proven safe sight lines

Safety & Welfare

- Modern structural engineering
- Professional installation
- Full regulatory compliance

Non-Self-Created Circumstances

- Sign predates current height restrictions by decades
- Area developed with 24-foot signs as standard
- Variance need stems from ordinance change, not owner actions

Screen Wall Variance

Impact Analysis

Location Benefits

- Rear wall installation only
- Zero visibility from public areas
- No impact on neighboring properties

Quality Standards

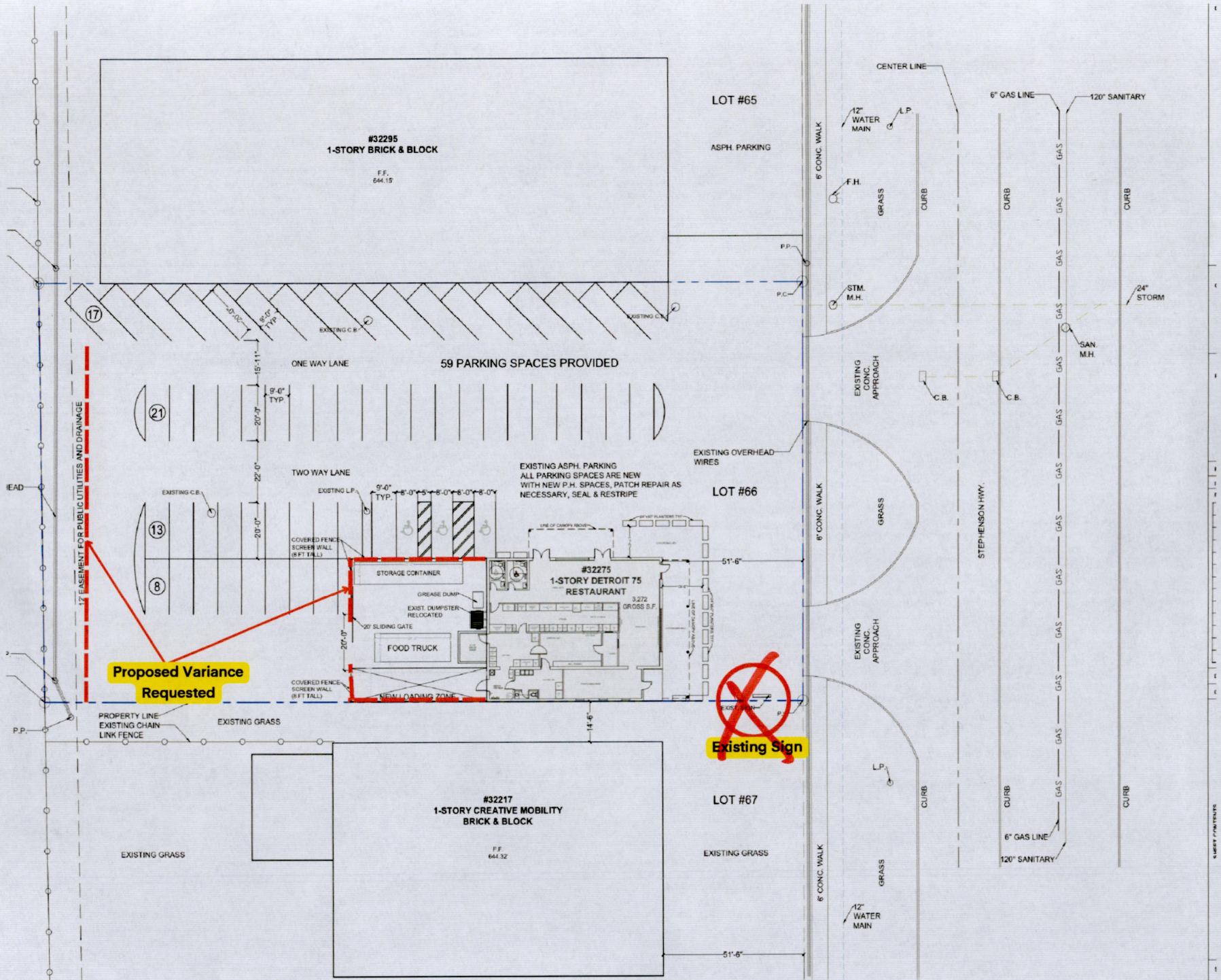
- Premium UV-resistant materials
- Professional installation
- Regular maintenance program

Safety & Compliance

- Meets all safety requirements
- Exceeds durability standards
- Enhanced property aesthetics

Non-Self-Created Circumstances

- Ordinance focuses on public-facing elements
- Material quality exceeds requirements
- Enhancement aligns with property rights
- Maintains ordinance intent while meeting business needs



Proposed Variance Requested

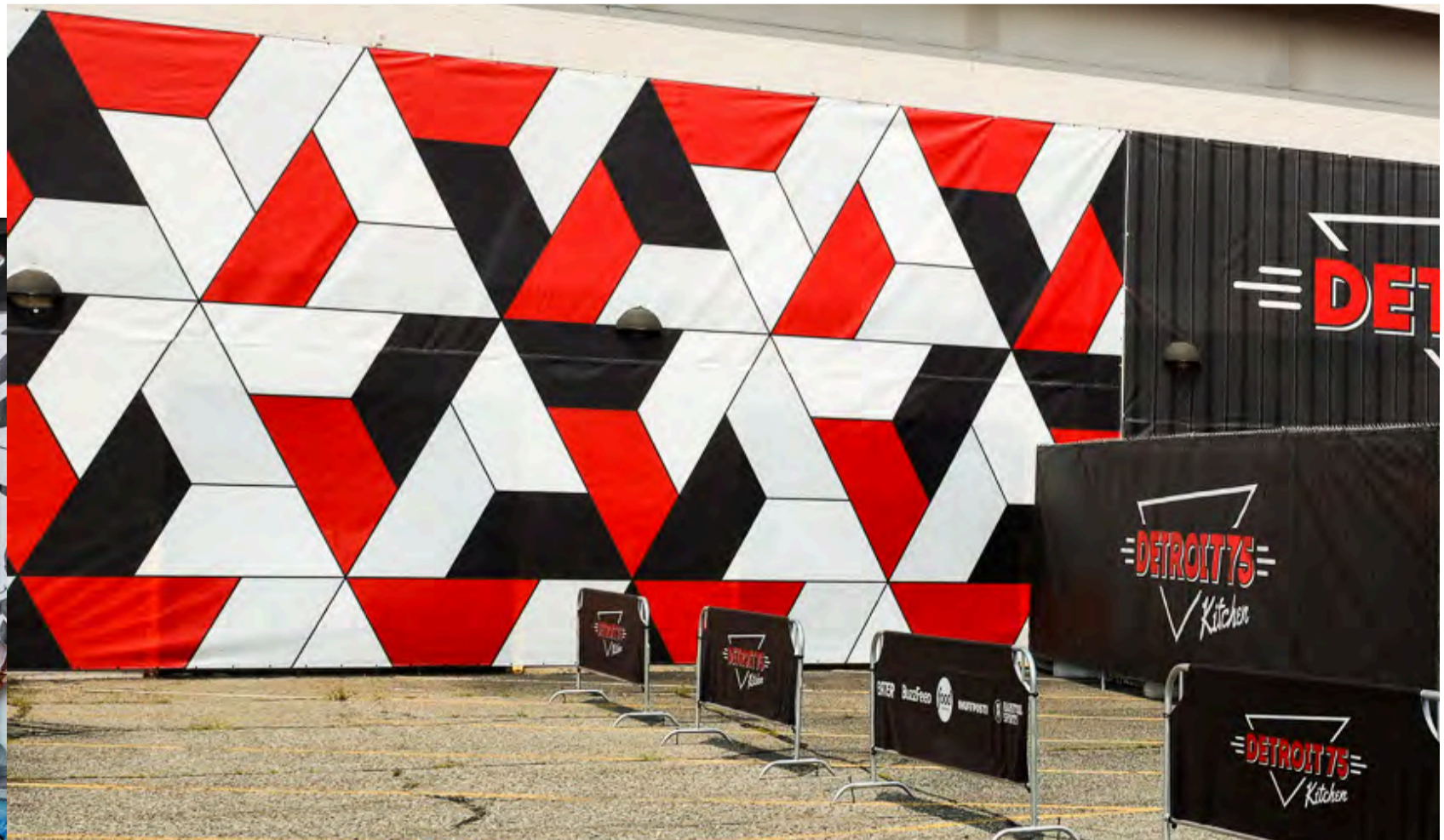
Existing Sign



PROPOSED CONDITIONS SITE PLAN

SCALE: 1/8" = 1'-0"

Examples of our Fene Material In Use + How the design changes from season to season



Proposed Screen Wall Position and Appearance

- **Non Street Facing or adjacent property visibility**
- **100% UV Resistant (No fading or tearing)**
- **Decorative in nature, compliments ordinance**
- **Gives creative flexibility to change design from season to season keeping the design fresh**



Fence Cover Spec Sheet

- **Gone through 20,000 hours of laboratory UV testing and it is proven to be 90% more durable than recycled HDPE under sun exposure, fabric has been treated with UV stabilized compound, preventing fence screen from drying out, tearing and fading, significantly extending lifespan to 15-20 years**
- **520 GSM -- compared to 200 GSM other fence covers will be**
- **Commercial Product**
- **Highest Level of UV Inhibitors**



MARUSICH ARCHITECTURE

36880 WOODWARD AVENUE
BLOOMFIELD HILLS, MI 48304
SUITE 100

OFFICE: (248) 792-2949
CELL: (313) 482-0645

www.marusicharchitecture.com
john.marusicharchitecture@gmail.com

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OWNER

AHMAD NASSAR

PROJECT NAME

DETROIT 75

ADDRESS:
32275 STEPHENSON HWY,
MADISON HEIGHTS, MI 48071

PROJECT # 24-127

ISSUE DATE # 12/02/2024

REVISION HISTORY

EXISTING CONDITIONS	12/02/2024
DEMO PLAN	12/06/2024
OWNER REVIEW	12/16/2024
OWNER REVIEW	12/19/2024
OWNER REVIEW	01/16/2025
OWNER REVIEW	01/24/2025

DRAWN BY: SJ + DC + JH

CHECKED BY: JM

SHEET CONTENTS

**PROPOSED CONDITIONS
SITE PLAN**

SEAL

OWNER / OWNER'S AGENT APPROVED & ACCEPTED

DATE: __/__/2024

SHEET #

ST-2

00/00/2024

PARKING REQUIREMENTS ON SITE:

MINIMUM PARKING SPACE SIZE
9' x 20' OFF-STREET PARKING SPACE
8' x 20' BARRIER FREE SPACE

EXISTING SPACES ON SITE NOT COMPLIANT, PROVIDED NEW LAYOUT OF SPACES THAT ARE CODE COMPLIANT

PARKING SPACE REQUIREMENTS
1 SPACE PER 100 S.F. OF USABLE FLOOR AREA (EXCLUDING KITCHEN AREAS)

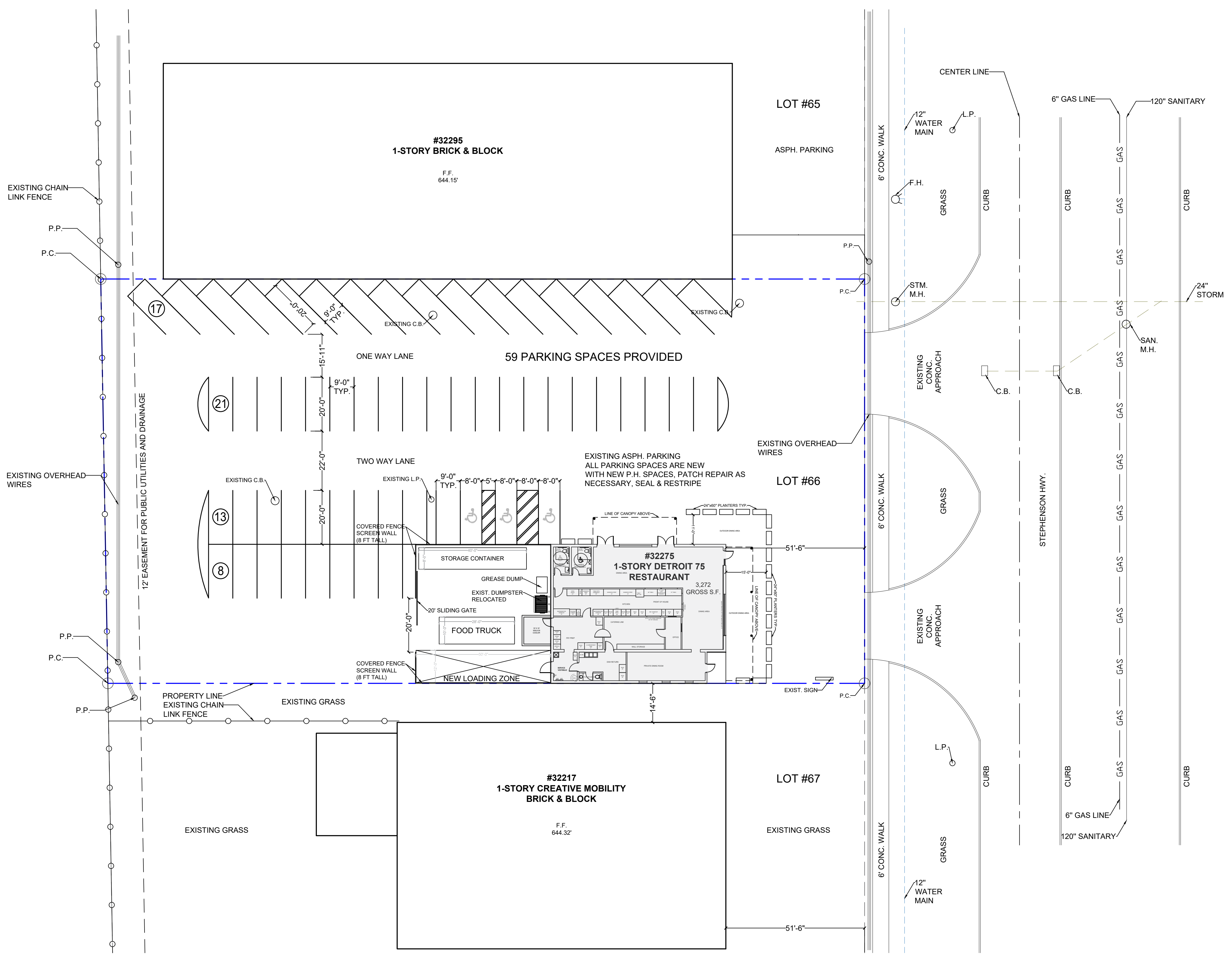
USABLE FLOOR AREA OF RESTAURANT (DINING AREAS): 2,591 S.F.

2,591 S.F. / 100 = 26 PARKING SPACES REQUIRED
59 PARKING SPACES PROVIDED

33 PARKING SPACE SURPLUS

(3) BARRIER FREE PARKING SPACES REQUIRED
(3) BARRIER FREE PARKING SPACES PROVIDED

ONE LOADING ZONE REQUIRED
ONE LOADING ZONE PROVIDED



PROPOSED CONDITIONS SITE PLAN
SCALE: 1:20
NORTH

OWNER / OWNER'S AGENT APPROVED & ACCEPTED

DATE: __/__/2024

SHEET #

ST-2