



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

**I. APPLICANT INFORMATION**

Applicant Matthew Abro

Applicant Address 31075 John R. Road Suite C2

City Madison Heights, MI State MI ZIP 48071

Interest in Property (owner, tenant, option, etc.) Tenant

Contact Person Matthew Abro

Telephone Number (586) - 904-6258 Email Address Math@smokinbeartobacco.com

**II. PROPERTY INFORMATION (IF APPLICABLE)**

Property Address 31075 John R. Road Suite C2

Tax ID 33-3716002 Zoning District \_\_\_\_\_

Owner Name (if different than applicant) Matthew Abro

Address 31075 John R. Road Suite C2

City Madison Heights, State MI Zip 48071

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

**III. CONSULTANT INFORMATION (IF APPLICABLE)**

BRANDON COHEN  
MICHIGAN REPUBLIC - SPONSOR OF MICHIGAN  
NAME  
COUNTY OF WAYNE  
MAIL COMMUNICATIONS EXPEDITE MAIL 38-3031

ADDRESS IN THE COUNTY OF  
DETROIT

Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

## ZBA APPLICATION

### 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

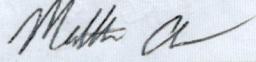
Presented Blueprint on building inspection citing Smoke shop / retailer.  
There was a smoke shop in the same plaza.

**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 Matthew Abu

Signature 

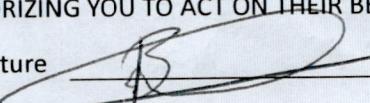
Date 11-25-2025

### 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 Becker Al-Mufti

Signature 

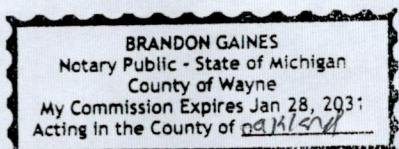
Date 11-26-2025

#### Notary for Property Owner:

Subscribed and sworn before me, this 26 day of 11, 2025.

#### Notary Stamp

A Notary Public in and for Oakland County, Michigan.



Notary Name (Print): Brandon Gaines

Notary Signature: Brandon Gaines

My Commission Expires: Jan 26, 2031

### STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE: \$400

ZBA NO.: PZBA # 25-11

#### ➤ DIMENSIONAL VARIANCE/NON-CONFORMING USE:

DATE APPLICATION RECEIVED: 11/26/25

○ Single-Family: \$300

○ Multi-Family/Non-Residential: \$400 + \$300 per additional variance

RECEIVED BY: MOL

#### ➤ Appeal/Interpretation: \$400

## ZONING BOARD OF APPEALS (ZBA): REVIEW STANDARDS RESPONSE FORM

Section 15.06 of the Zoning Ordinance contains review standards and criteria for variances and appeals. Please provide responses to the following review standards for consideration by staff and the Zoning Board of Appeals. (Provide additional separate sheets, if necessary).

**Please fill out ONLY the section below that applies to your request.**



### SECTION A: APPEAL OF ADMINISTRATIVE DECISION

Check here for an Appeal of Administrative Decision (Section 15.06 of Zoning Ordinance)

1. Date of Decision BeingAppealed: 11-25-25

2. Decision Making Entity:

Planning and Zoning     Planning Administrator     Code Commission     Enforcement     Other: \_\_\_\_\_

3. Applicant's Reason for Appeal: Describe the decision being appealed and how the decision was made contrary to the proper requirements and standards of the Zoning Ordinance.

We presented a blueprint with shop name, logo, & build out dimensions. The blueprint was approved & building permits were issued after payment. We got rough inspections, electric, & other necessary inspections.

When we applied for occupancy we got a denial because of zoning, we were never told not once throughout the process.

4. Provide copy of the Notice of Action, notice of violation, and/or meeting minutes for the zoning decision being appealed.

### SECTION B: ZONING TEXT OR MAP INTERPRETATION

Check here for a Zoning Text or Map Interpretation (Section 15.06 of Zoning Ordinance)

1. If requesting a text interpretation, provide Section numbers of Zoning Ordinance to be interpreted:


2. Please describe the request and what needs to be clarified or interpreted by the ZBA.

This is a retail smoke shop. All state licenses have been issued. The city was well informed from Day 1 what type of store occupancy it was going to be. There was already a Smoke shop there before.

**SECTION C: ALTERATION OF NONCONFORMING USE**

**Check here for an Alteration of a Nonconforming Use (Section 13.01 of Zoning Ordinance)**

1. Describe the existing nonconforming use and the plans for alteration/expansion.

2. Describe how the alterations will not further reduce the value or otherwise limit the lawful use of adjacent properties.

3. Describe how the alterations will retain the character and environment of abutting premises.

4. Describe how the alterations will not materially increase or perpetuate the nuisance aspects of the use upon adjacent uses.

5. 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).

ZONING: B-1

USE: TOBACCO/SMOKE SHOP IS NOT A PERMITTED USE (EITHER BY RIGHT OR AS A SPECIAL LAND USE) IN THE B-1, NEIGHBORHOOD COMMERCIAL ZONING DISTRICT.

SECTION 3.06 (PERMITTED USE TABLE) OF ZONING ORDINANCE

ZONING DENIED. MDL. 11/25/25