STATE OF MICHIGAN

CITY OF MADISON HEIGHTS

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

In re:
Zoning Map Amendment (Rezoning) Application

SMOKIN BEAR TOBACCO JOHN R, INC.
31075 John R Road, Ste. C2
Madison Heights, Michigan 48071
Tax ID: 44-25-02-478-021,

Applicant.

LAW OFFICE OF MARK B. BERKE, PLLC
By: MARK B. BERKE (P54935)
Attorney for Applicant
29777 Telegraph Road, Suite 1561
Southfield, Michigan 48034
(248) 703-2982

Applicant's Amended Supplement to
Zoning Map Amendment (Rezoning) Application

In addition to the information provided by Applicant in the Application Map Amendment (Rezoning) Application, Applicant provides the following:

1. Upon information and belief, Applicant believes all required documents and information were provided with Applicant's original Application in March 2026. The content of the original Application and the documents previously provided in March 2026 are incorporated herein by reference. In addition to the materials previously provided, please see the following:

   a. Department of the Treasury, Internal Revenue Service, EIN Verification

   b. Business License Invoice No. 00018362 (License No. 26-0004205)

   c. Building Permit No. PB 25-0112, with approvals

   d. Electrical Permit No. PE 25-0125, with approvals

e. Mechanical Permit No. PE 25-0108, with approvals

If additional documentation or materials is required, Applicant is prepared to provide any such requested information.

2. Applicant previously submitted a filing fee ($1,500) with its original Application. This Application is being submitted as an amended Application. As such, per the City Planner, no additional filing fee is required.

3. Applicant is submitting this Application for Rezoning with Conditions, and is voluntarily proposing a Conditional Rezoning to B-2, limited to the specific retail space of Applicant's location within the property owner's property. The following conditions are being voluntarily proposed by the Applicant and property owner:

a. Applicant's business operations would include tobacco sales and anything incident to said tobacco sales (e.g., tobacco accessories)

b. The use in the subject location would not include any other uses outside of the current B-1 zoning permitted uses

c. Applicant would not engage in any operations as a financial institution

d. Applicant would not engage in any operations in automobile sales

e. Applicant would not engage in any operations in automobile service/repairs

f. Applicant would not engage in any operations in gasoline sales

g. Applicant would not engage in any operations as a medical facility

h. Applicant would not engage in any operations in automobile sales

i. Applicant would not engage in any operations in alcohol sales

j. Applicant would not engage in any operations in adult/child care

k. Applicant would not engage in any operations in firearm sales

l. Applicant would not engage in any operations as a kennel/boarding facility

m. Applicant would not engage in any operations as a funeral home

n. Applicant would not engage in any operations in home improvement

o. Applicant would not engage in any operations as a hotel/lodging facility

p. Applicant would propose that only one tobacco/smoke shop be authorized for use – at any given time – at the subject property

q. Any other reasonable conditions for which Applicant would voluntarily propose, if necessary, during the evaluation process

4. Applicant is prepared to enter into an appropriate Rezoning with Conditions Agreement with the City incorporating the various conditions outlined above, as well as any other reasonable conditions proposed by the Applicant and agreeable by the City.

5. Applicant recognizes that, even if this Rezoning with Conditions Application is approved, a dimensional variance would still be required from the Zoning Board of Appeals. Applicant is prepared to submit an appropriate Application for Dimensional Variance.

Respectfully submitted,

LAW OFFICE OF MARK B. BERKE, PLLC

By: *__/s/ Mark B. Berke_____*

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Attorney for Applicant
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DATED: June 11, 2026