

cityofnovi.org

**ZONING BOARD OF APPEALS**  
**CITY OF NOVI**  
**Community Development Department**  
**(248) 347-0415**

**Case No. PZ13-0018**

**Location: 41216 VINCENTI CT**

**Zoning District: I-1, Light Industrial District**

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, Section 1905 to allow outdoor storage. The property is located east of Meadowbrook Road and south of 11 Mile Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 1905 requires that uses within the I-1 District shall be conducted wholly within a completely enclosed building.

**City of Novi Staff Comments:**

The petitioner occupies a site in an existing industrial park. Outdoor storage is precluded with the exception of a few specific cases (not applicable). The applicant is requesting variances to periodically store a semi-trailer, metal equipment and small trailers used for transportation of equipment to job sites. The equipment is kept in a fenced enclosure. If the board is included to consider a variance, staff suggests consideration of a requirement that the semi-trailer be removed, all other exterior storage be kept within the existing fenced/ screened enclosure and restriction of the exception to this tenant only.

**Standards for Granting a Use Variance:**

A use variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that undue hardship exists by showing all of the following:

- (a) The property cannot be reasonably used for any of the uses permitted by right or by special land use permit in the zoning district in which it is located because\_\_\_\_\_.
- (b) That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, topography, or similar physical conditions and is not due to the applicant's personal or economic hardship because\_\_\_\_\_.
- (c) That the proposed use will not alter the essential character of the neighborhood because\_\_\_\_\_.
- (d) That the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created) because\_\_\_\_\_.

In granting a variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance.



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For Official Use Only

ZBA Case No: P213-0018 ZBA Date: May 14th Payment Received: \$ 300 (Cash)

Check # \_\_\_\_\_ Include payment with cash or check written to "City of Novi."

**TO BE COMPLETED BY APPLICANT - PLEASE PRINT**

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name KENNETH BURKE Date 5-5-13

Company (if applicable) DHI EQUIPMENT SALES & SERVICE

Address\* 41216 VINCENTI CT. City NOVI ST. MI ZIP 48375  
\*Where all case correspondence is to be mailed.

Applicant's E-mail Address: CSCHWEIGER@DHI-EQUIPMENT.COM

Phone Number (248) 476-7819 FAX Number (48) 476-7849

Request is for:

Residential Construction (New/ Existing)  Vacant Property  Commercial  Signage

1. Address of subject ZBA case: 41216 VINCENTI CT. ZIP 48375

2. Sidwell Number: 5022 - 24-100-035 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes  No

4. Zoning:  RA  R-1  R-2  R-3  R-4  RT  RM-1  RM-2  MH  OS-1  OS-2  OSC  OST  OTHER

5. Property Owner Name (if other than applicant) SCHWEIGER FAMILY PROPERTIES

6. Does your appeal result from a Notice of Violation or Citation Issued?  Yes  No

7. Indicate ordinance section(s) and variances requested:

- 1. Section 1905 Variance requested OUTDOOR STORAGE
- 2. Section \_\_\_\_\_ Variance requested \_\_\_\_\_
- 3. Section \_\_\_\_\_ Variance requested \_\_\_\_\_
- 4. Section \_\_\_\_\_ Variance requested \_\_\_\_\_

8. Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
- b. The location and dimensions of all existing and proposed structures and uses on property.
- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGN CASES ONLY:**

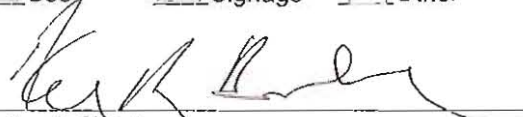
Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten (10) days before the scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be the actual sign. Upon approval, the mock-up sign must be removed within five (5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five (5) days of the meeting.

**Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.** There is a five (5) day hold period before work/action can be taken on variance approvals. All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.


**PLEASE TAKE NOTICE:**

The undersigned hereby appeals the determination of the Building Official/ Inspector or Ordinance Officer made

- Construct New Home/Building    Addition to Existing Home/Building    Accessory Building  
 Use    Signage    Other

  
Applicants Signature

3-5-13  
Date

  
Property Owners Signature

3-5-13  
Date

**DECISION ON APPEAL**

\_\_\_\_\_ Granted   \_\_\_\_\_ Denied   Postponed by Request of Applicant \_\_\_\_\_   Board \_\_\_\_\_

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date



To see all the details that are visible on the screen, use the "Print" link next to the map.



50-22-24-100-035

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The fenced in area behind our building was pre-existing and was being used as an outdoor storage area when we purchased the property. We were unaware that it is a violation to use this fenced in storage area. One of the reasons we decided to relocate our business to Novi, was that we were able to find a building that had a small outdoor storage space. The area is currently being used to store large metal items and small trailers for easy access when we travel to job sites. This area is kept neat and clean at all times and is not visible from Vincenti Ct.

The semi-trailer that is stored in the back of our building is licensed and insured. This trailer is used to move job equipment from location to location and is only stored when not in use. This trailer can be relocated on our property if seeing it visually from Vincent Ct. is a problem.

Once again, we were unaware that using the fenced in storage area or storing the semi-trailer at the rear of our property would result in violations. These areas are kept secure and clean at all time and they are not exposed to any residential neighborhoods. Our property is located in a light industrial complex and the above mentioned areas are simply used for extra space and easy access to job materials and equipment.

Parcel # 50-22-24-100-035

41216 Vincenti Ct.

