

Variance Request for ACE Family Hardware  
22104 Novi Rd.

APPROVED

NOV 14 2008

CITY OF NOVI  
COMMISSION

We are submitting a permanent use variance request at our lease property located at 22104 Novi Rd which is under a consent judgment making the property a B-1 use for zoning purposes. The request is to allow us to have storage racks on the exterior of the building to house propane tanks for propane tank exchange sales. The tanks cannot be installed inside the building therefore the request.

Propane exchange is a service often associated with the hardware business. As part of our business, we sell gas barbeque grills, most fueled by propane. Our customers expect that we should have propane for them when they need it. We received phone calls and personal requests nearly daily, and often multiple times on any given day, during the summer months and continue to receive calls even as the weather is changing. Propane exchange is consistent with the intent of the B-1 Local Business District Zoning which states "The B-1 Local Business Districts, as herein established, are designed to meet the day-to-day convenience shopping and service needs of the persons residing in nearby residential areas." The people in nearby residential areas clearly need a place to get propane. We sold 95 Weber grills this season, the vast number of them with in a few miles of the store, we know this because we delivered nearly all of them, and most were propane fueled.

The only part of the propane exchange that is performed outside of the building enclosure is the removal of the full tanks from the rack and putting the empty tank into the rack. No sales are performed outside of the building. The sale is performed at the cash register and only the exchange is performed outside the building.

The storage racks we have are, much as possible, made to blend with the building exterior to make them less noticeable. The racks are painted white to match the building exterior and the necessary warnings are cut into the steel so applied signage isn't required. We have no signage or pricing information on the racks. They are for storage only.

Oak Pointe Plaza, where our building is located, has a row of paper/magazine dispensing units lined up with the entrance. We think that they are much more unsightly than the storage racks we are proposing which are located at the far end of the complex.

The Novi Fire Department was contacted as to the requirements for installation of the storage racks. Positioning the racks in the front of the building against the wall, outside the canopy fulfills these requirements.

We were informed that permission needed to be granted by the property owner which is CVS. Attached is the email which was sent to CVS people asking for permission to seek the variance. At the present time, we are awaiting a reply.

Attached are pictures of the proposed propane storage racks, the paper dispensing boxes, and the email to CVS requesting permission to apply for the use variance.

Ace Family Hardware – Propane Storage



Oak Pointe Plaza – Newspaper & Magazine Dispensers



## Bob Slack

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**From:** Bob Slack [bob@acefamilyhardware.com]  
**Sent:** Wednesday, November 05, 2008 11:09 AM  
**To:** blfay@cv.com  
**Cc:** djhamilton@cv.com  
**Subject:** CVS Store # 08140-01M variance request

Dear Ms. Fay

We are leasing property connected to CVS Store # 08140-01M in Novi, MI.

The City of Novi zoning for the B-1 Community Business Districts contains a section that states "All business, servicing, or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building."

We have put storage racks for propane exchange outside in front of the building. The city has determined that we must apply for a use variance to have the racks outside the building enclosure which we did. After the application was made we were informed that for the variance to be considered, we would need to get permission from the property owner which is the reason for this email.

We need permission from CVS to seek a use variance to allow for the placement of storage racks for the purpose of propane exchange tank storage. Propane Exchange is a very normal part of the hardware business in this area. We spoke to Donn Hamilton and he informed us that we should direct this request to you.

The position of the storage racks is acceptable to the Fire Department and we have confirmed that we have the insurance coverage required to cover this. The only issue is the outside the building enclosure position of the racks.

If you could provide us with permission to seek a use variance for this purpose so that it can be forwarded to the City of Novi it would be greatly appreciated.

Thank You,

Robert Slack, President  
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