

VIENNA TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

I. PROPERTY INFORMATION			
Address or Parcel Number: 18-17-400-038 & 18-17-400-035		Site Plan Included: <input checked="" type="radio"/> Y <input type="radio"/> N <i>(Please Include some form of site plan)</i>	
Description of General Location: Northwest corner of Linden Road & Vienna Road			
Current Zoning: General Commercial (C-2)	Lot Size: 5.69 AC	Current Use: Auto Sales & Repair. Proposed parking lot addition	
Requesting: <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Interpretation <input type="checkbox"/> Administrative Appeal			
Type of Variance(s): <input checked="" type="checkbox"/> Setbacks <input type="checkbox"/> Signage <input checked="" type="checkbox"/> Parking <input type="checkbox"/> Other (Describe Below)			
Reason / Description of Request: <div style="text-align: center; font-size: 1.2em;">Eight (8) parking spaces within the front yard setback</div>			
II. APPLICANT INFORMATION			
Name: John Leonard		Phone: 810-252-5428	
Mailing Address: 5010 West Vienna Road	City: Vienna Township	State: MI	Zip: 48420
III. PROPERTY OWNER INFORMATION <i>(if different from applicant)</i>			
Owner Name: John Leonard		Owner Phone: 810-252-5428	
Owner Address: 9401 Cranbrook Pkwy.	City: Davison	State: MI	Zip: 48423
IV. CHECKLIST <i>(Please answer each question to the best of your ability & explain your answer on next page)</i>			
1. Special or unique conditions and circumstances exist which are not generally applicable to other lands, structures, or buildings in the same district.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district; and that the variance is the minimum necessary.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. The special conditions and circumstances do not result from the actions of the applicant.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. The spirit of this ordinance shall be observed, public safety secured and substantial justice done.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I hereby affirm that the information provided for this hearing is accurate to the best of my knowledge.			
Applicant Signature	1/14/2026 Date	John Leonard Applicant Name Printed	
Owner Signature	1/14/2026 Date	John Leonard Owner Name Printed	
OPTIONAL: By signing below, I hereby grant permission for Vienna Township Officials and/or Zoning Board of Appeals Members to enter my property for on-site inspection related to this application. <i>(Failure to grant permission will not affect any decision on your application)</i>			
Owner Signature		1/14/2026 Date	
<div style="border: 1px solid black; padding: 10px;"> <p>Office Use Only: Fees Paid: Y <input type="checkbox"/> N <input type="checkbox"/> Amount Paid: _____ Date Paid: _____ Hearing Date: _____</p> <p>Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Determination: _____</p> <p>Vienna Township ZBA Signature _____ Date _____ Vienna Township ZBA Name Printed _____</p> </div>			

V. PLEASE EXPLAIN YOUR ANSWERS FROM THE CHECKLIST IN SECTION IV. (NON-USE / DIMENSIONAL)

1. Special or unique conditions and circumstances exist which are not generally applicable to other lands, structures, or buildings in the same district.

The subject property is an existing, developed automotive sales and repair site with a long-established parking layout that predates current setback and right-of-way standards. The site is constrained by the Parker Creek, Wetlands, existing woodlands, and the location of the public right-of-way, limiting the ability to relocate required parking outside the front yard setback. These physical conditions are unique to the site and are not generally applicable to other properties in the district that were developed under current standards.

2. The provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district; and that the variance is the minimum necessary.

Strict application of the ordinance would deprive the applicant of the ability to provide on-site parking comparable to other automotive service and sales properties in the same zoning district. Without the variance, the site would be functionally deficient and unable to meet operational parking needs. The variance requested is the minimum necessary, as the parking spaces are being relocated far enough to eliminate right-of-way encroachment while maintaining compliant drive aisle widths.

3. The special conditions and circumstances do not result from the actions of the applicant.

The need for the variance arises from existing site conditions, not from any action taken by the applicant. The proposed improvements are corrective in nature and intended to bring the site into greater compliance by removing parking from the public right-of-way. The applicant did not create the lot constraints or dimensional limitations that necessitate the variance.

4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.

Granting the variance supports the intent of the ordinance by improving site compliance and eliminating encroachments into the public right-of-way. The proposed parking configuration maintains orderly site design while recognizing the limitations of an existing developed property. The variance allows reasonable use of the site without undermining the overall zoning framework or setback objectives. A large landscape buffer exists within the right of way between the parking and the street.

5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.

By removing parking from the right-of-way, the project improves public safety, visibility, and circulation along the adjacent roadway. The proposed layout will be visually consistent with surrounding commercial development and will not negatively impact neighboring properties.

6. The spirit of this ordinance shall be observed, public safety secured and substantial justice done.

The variance request upholds the spirit of the ordinance by enhancing safety and reducing conflicts within the public right-of-way. Public safety is improved through better site control, clearer boundaries, and compliance with right-of-way standards. Granting the variance provides a fair and practical solution that balances regulatory intent with the realities of an existing, constrained site, thereby achieving substantial justice.

A drawing of the site/property must be included with the application showing any pertinent details and dimensions necessary.