



Department of Planning and Economic Development
 1000 Rochester Hills Dr.
 Rochester Hills, MI 48309
 (248) 656-4660
planning@rochesterhills.org
www.rochesterhills.org

Zoning Board of Appeals (ZBA) Application

Request Information

Request Type (as defined in [Article 2 Chapter 4 Variances and Appeals](#) of the City's Zoning Ordinance)

Variance:

Dimensional (Non-Use)

Use

Appeal

Interpretation

Conditional or Temporary Use Permit:

Temporary Building or Use

Excavation or Landfill Permit

Other (please describe):

Property Information

Street Address 981 Allston Dr. Rochester Hills, MI 48309

Parcel Identification Number (can be obtained on the [Property Tax Look-Up page on the City's website](#))

70-15-09-201-018

Platted Lot (if applicable) No

Subdivision:

Lot No.:

Current Use(s) Single Family Residential

Zoning District R-2

Appeal (if applicable)

Regulations (as defined in [Section 138-2.404](#) of the City's Zoning Ordinance)

An appeal may be taken to the ZBA by any person, firm or corporation, or by any officer, department, board or bureau affected by a decision of the Building Department concerning the enforcement of the zoning ordinance.

Requested Appeal(s)

1. Variance to front yard setback (average) of 10.91 feet from required 61' setback

2. Variance to side yard setback of .49 feet from required 15' setback

Reason for Appeal

*See attached letter

Interpretation (if applicable)

Regulations (as defined in [Section 138-2.405](#) & [Section 138-2.406](#) of the City's Zoning Ordinance)

The ZBA has the power to interpret the ordinance text and map whenever a question arises in the administration of the zoning ordinance as to the meaning and intent of the zoning ordinance.

Requested Article #(s), Section #(s), & Paragraph #(s) for Interpretation

Reason for Interpretation

Conditional or Temporary Use Permit (if applicable)

Regulations (as defined in [Section 138-1-302](#) of the City's Zoning Ordinance)

The ZBA may issue a Temporary or Special Use Permit only when the use is to be in excess of 60 days



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ZBA Application

Dimensional (Non-Use) Variance (if applicable)

Ordinance Section(s) (variance being requested from)

Section 138-5.101 Ave. Front Setback violation of 10.91 feet
Section 138-5.100 Side Yard Setback violation of .49 feet

Review Criteria (as defined in [Section 138-2.407](#) of the City's Zoning Ordinance)

A non-use variance is a variance granted to provide relief from a specific standard in the ordinance, which usually relates to an area, dimensional or construction requirement or limitation.

To obtain a non-use variance, an applicant must present proof that a practical difficulty exists, and the practical difficulty must relate to a unique circumstance of the property, as distinguished from a personal circumstance or situation of the applicant.

Practical Difficulty. Describe how compliance with the strict letter of the regulations governing area, setback, frontage, height, bulk, lot coverage, density or other dimensional or construction standards will unreasonably prevent use of the affected property for a permitted purpose, or will render conformity with such restrictions unnecessarily burdensome.

*See attached letter

Substantial Justice. Describe how granting the variance will do substantial justice to the applicant as well as to other property owners in the District.

See attached letter

Lesser Variance. Describe how granting a lesser variance would not give substantial relief to the applicant and/or be more consistent with justice to other property owners in the District.

See attached letter

Unique Circumstance. Describe how the request results from a special or unique circumstances peculiar to the affected property, that do not apply generally to other properties or uses in the same district or zone.

See attached letter

Not Self-Created. Describe how the alleged hardship has not been created by the actions of the applicant or any person having a current interest in the property.

See attached letter

Public Safety and Welfare. Describe how the request would not be materially detrimental to the public welfare or materially injurious to this property or other properties or premises in the zone or district in which the property is located.

See attached letter