



Dimensional (Non-Use) Variance (if applicable)

Ordinance Section(s) (variance being requested from)

A variance request of 3' (required sideyard of 10'
 we will only have 7'6")

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.

The owner wishes to remove an old 1-car attached garage in need of major repairs along with a breezeway that years ago may have been used as living space but also is in no current condition as such. She wishes to build same location and same size to gain what nearly every other property owner on blk. has a 2-car garage

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

With location of existing garage/Breezeway is located at 7' to lot line (sideyard) this is a condition that adjoining property owners are all conditioned already to.

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.

In this case the owner is requesting to use the existing driveway if location is within 8'4' off lot line (side) it is our request to reuse portion of exist. footing all of this only works if location of garage remains 7' from lot line.

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.

This lot is clearly one of the narrowest lots on the street. At 80' most lots seem to be 100' wide and larger in width. In fact one other narrow lot also has the house wall within 10' of lot line as well.

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.

The existing 1-car garage had been located within 7' of side lot line long before current owner purchased home, and proposal of new attached garage simply maintains the current setback.

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.

Since there is no movement to the location of the proposed garage compared to the existing location. there can be no harm to the community.



Applicant Information

Name <i>Father & Son Construction</i>		
Address <i>5032 Rochester Rd</i>		
City <i>Troy MI.</i>	State	Zip <i>48085</i>
Phone <i>(2) 528-1940</i>	Email <i>Carrie_vivona@comcast.net</i>	
Applicant's Legal Interest in Property <i>Contractor</i>		

Property Owner Information Check here if same as above

Name <i>Jennifer Hamilton</i>		
Address <i>510 Driftwood</i>		
City <i>Rochester Hills</i>	State <i>MI</i>	Zip <i>48307</i>
Phone <i>(5) 913-6899</i>	Email	

Applicant's/Property Owner's Signature

I (we) do certify that all information contained in this application, accompanying plans and attachments are complete and accurate to the best of my (our) knowledge.

I (we) authorize the employees and representatives of the City of Rochester Hills to enter and conduct an investigation of the above referenced property.

Applicant's Signature <i>Mat Vivona</i>	Applicant's Printed Name <i>Mat Vivona</i>	Date <i>10-18-19</i>
Property Owner's Signature <i>Jennifer Hamilton</i>	Property Owner's Printed Name <i>Jennifer Hamilton</i>	Date <i>10-18-19</i>

OFFICE USE ONLY

Date Filed <i>11-5-2019</i>	File # <i>19-043</i>	Escrow #
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