



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) Appeal **Conditional or Temporary Use Permit:**

Use Interpretation Temporary Building or Use

Other (please describe):

Property Information

| | |
|---|---|
| Street Address 260 WINRY DRIVE | |
| Parcel Identification Number (can be obtained on the <u>Property Tax Look-Up page on the City's website</u>) 15-10-205-037 | Platted Lot (if applicable) Subdivision: NORTH HILL Lot No.: 136 |
| Current Use(s) RESIDENTIAL | Zoning District R4 |

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)

Reason for Appeal

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

Applicant Information

| | | |
|--|-----------------------------|-----------|
| Name DAVID & WENDY TAYLOR | | |
| Address 260 WINRY DRIVE | | |
| City ROCHESTER HILLS | State MI | Zip 48307 |
| Phone 248-894-4498 | Email wltaylor260@gmail.com | |
| Applicant's Legal Interest in Property OWNER | | |

Property Owner Information Check here if same as above

| | | |
|---------|-------|-----|
| Name | | |
| Address | | |
| City | State | Zip |
| Phone | 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 | Applicant's Printed Name WENDY TAYLOR | Date 2/7/17 |
| Property Owner's Signature | Property Owner's Printed Name WENDY TAYLOR | Date 2/7/17 |

OFFICE USE ONLY

| | | |
|------------------------|-------------------|-----------------|
| Date Filed 2/7/2017 | File # #17-003 | Escrow # N/A |
|------------------------|-------------------|-----------------|



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Dimensional (Non-Use) Variance (if applicable)

Ordinance Section(s) (variance being requested from)

138-5,100

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.

A SIDE YARD SET BACK OF TEN FEET IS SO LARGE AND RESTRICTIVE FOR A 66 FOOT LOT THAT AN ATTACHED TWO CAR GARAGE WOULD NEVER BE POSSIBLE.

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

GRANTING A VARIANCE WOULD INCREASE THE PROPERTY VALUE OF THE HOME AND MAKE THE HOUSE SQUARE FOOTAGE COMPARABLE TO OTHERS IN NEIGHBORHOOD.

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.

A LESSER VARIANCE WOULD NOT ALLOW FOR AN ATTACHED TWO CAR GARAGE ON THIS LOT.

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 IS NOT A UNIQUE REQUEST, MANY HOMES IN THE NORTH HILL NEIGHBORHOOD HAVE ADDED AN ATTACHED TWO CAR GARAGE.

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.

HOME WAS PURCHASED OVER 22 YEARS AGO, CURRENT ZONING REQUIRES VARIANCE FOR ATTACHED GARAGE, ZONING WAS NOT ALWAYS THIS RESTRICTIVE, MANY HOMES IN THE NEIGHBORHOOD HAVE SUCH AN ADDITION

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.

REQUESTED ADDITION NOT ENCRUCHING ON NEIGHBORING STRUCTURES, NO DETRIMENT OR INJURY TO ANY PROPERTY IN THE ZONE.