



innovative *by* nature

Bryan K. Barnett
Mayor

June 19, 2020

City Council

Stephanie Morita
District 1

Cheryl Green
493 John Rd.
Rochester Hills, MI 48306

James Kubicina
District 2

RE: Application for Building Permit
493 John R Rd.

Susan M. Bowyer, Ph.D.
District 3

Rochester Hills, MI 48306
15-13-301-012

Thomas W. Wiggins
District 4

Dear Cheryl,

Kevin S. Brown
At-Large

We are in receipt of your application for a building permit to construct a detached accessory structure at the above referenced location; however, your application does not meet the requirements as set forth in our Ordinance for the following reason:

Dale A. Hetrick
At-Large

Mark A. Tisdell
At-Large

Item #1

Rochester Hills ordinance Section 138-10.102 "Detached Accessory Structures": Section A states: Detached structures accessory to a residential or non-residential building may be located in the side or rear yard. Such structures shall not be located in the front yard. The combined floor area of all detached accessory structures on a single parcel shall not exceed the limits set forth in the following table, so long as total building area of all structures does not exceed the maximum lot coverage as provided in Section 138-5.100.

Item #1: *The plot plan indicates that the proposed garage is intended to be placed parallel to the existing home, however the home is placed on an angle and the line from the front portion of the garage shall be measured parallel with the width of the property in a straight line and not on an angle.*

Therefore, we are unable to approve your application and are issuing this letter of denial. *You may revise your plans and application in compliance with the Ordinance by eliminating the violation. Revised plans should be submitted to the Building Department for review.*

An appeal of this denial or variance may be requested of the Rochester Hills Zoning Board of Appeals. If you decide to take this matter before the Zoning

Board of Appeals, a filing fee and your application for a public hearing before the Zoning Board of Appeals must be submitted to the Planning Department within forty-five days of the date of this letter. Your application will then be placed on the next available agenda.

If you seek a variance, it is necessary to show a practical difficulty in the way of carrying out the strict letter of the ordinance. In determining whether a practical difficulty exists, the Zoning Board of Appeals **MUST** find that:

1. The property in question cannot be reasonably used or cannot yield a reasonable return on a prudent investment if the property would be used only for a purpose allowed in the zoning district.
2. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.
3. The use to be authorized by the variance will not alter the essential character of the area and locality.
4. The problem is not self-created.
5. The spirit of the ordinance will be observed, public safety and welfare secured, and substantial justice done.
6. There is compliance with the standards set forth in Section 138-2.400B.
7. There is compliance with the standards for discretionary decisions as contained in Section 138-2.302 of this Ordinance.

If you have any questions regarding the above, please feel free to contact me at 248-841-2431.

Sincerely,

Jeffrey Fraser
Plan Reviewer / Building Inspector