



innovative *by* nature

Bryan K. Barnett  
Mayor

April 6, 2017

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At-Large

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At-Large

Mr. Salman Abrou  
1044 Rochelle Park Drive  
Rochester Hills, MI 48309

RE: Application for Parking Lot Maintenance Permit  
Re: 110 W South Blvd / 15-34-477-016

Dear Sir or Madam

We are in receipt of your application for a Parking Lot Permit to enlarge the parking area to the west side of the property. However, your application does not meet the requirements as set forth in our Zoning Ordinance for the following reason:

***Item #1***

**Rochester Hills Ordinance Section 138-11-102. B 4 (A): Off – Street Parking and Loading / Set Back from Residential Districts and Uses States:  
Where the parking lot or drive abuts a residential district at the side or rear lot lines said parking lot or drive shall be setback a minimum of ten (10) feet from the said lot lines.**

**The submitted Parking Lot Maintenance plan is requesting an extension to the existing parking lot westward. This extension will encroach into the require side yard setback of ten (10) feet, a violation of nine (9) feet.**

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. Compliance with the strict letter of the restrictions governing area, setback, frontage, height, bulk, lot coverage, density of other dimensional or construction standards will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with such restrictions unnecessarily burdensome.
2. A grant of the variance will do substantial justice to the applicant as well as to other property owners in the district, and a lesser variance will not give substantial relief to the applicant as well as be more consistent with justice to other property owners in the zoning district.
3. The plight of the applicant is due to the unique circumstances of the property.
4. The problem is not self-created
5. The spirit of this 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.

If you have any questions regarding the above, please feel free to contact me at 248-656-4615.

Sincerely,

BUILDING DEPARTMENT

Mark Mclocklin  
Ordinance Inspector