



innovative *by* nature

Bryan K. Barnett
Mayor

April 18, 2017

City Council

Mr. & Mrs. Mark Bunch
281 Orchardale Dr.
Rochester Hills, MI. 48309

Stephanie Morita
District 1

James Kubicina
District 2

RE: Application for Building Permit
218 Orchardale Dr., 15-16-251-001

Susan M. Bowyer, Ph.D.
District 3

Dear Sir or Madam,

Thomas W. Wiggins
District 4

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

Kevin S. Brown
At-Large

Item #1

Dale A. Hetrick
At-Large

Rochester Hills ordinance Section 138-5.101 B. Established Building Lines states: In the event that there is an established building line along a street (as determined by the official reviewing the application), the front yard and/or side street yard setback requirement shall be the established building line. The established building line is the average front yard setback minus 10 feet of adjacent dwellings within 200 feet of each side of the lot and on the same side of the street as the subject parcel, or 60 feet whichever is less.

Mark A. Tisdell
At-Large

Item #1: A Zoning Review dated March 4, 2017 from the Building Department identified the established building line parallel to Orchardale Dr. at approximately 58 feet and the established building line parallel to Stockport Dr. at approximately 49.3 feet. The established building lines identified on the plot plan prepared by Reichert Surveying Inc. were referenced from the Building Department zoning review.

The proposed Garage addition on the Orchardale Dr. side of the lot exceeds the established building line by approximately 12.31 feet. The proposed Front Porch/Family Room addition exceeds the established building line by approximately 12.17 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 Artinian
Building Inspector/Plan Examiner