



innovative by nature

Bryan K. Barnett
Mayor

July 16, 2018

City Council

Johnathon Lipka
3079 Eastwood Dr
Rochester Hills, MI 48309

Stephanie Morita
District 1

Re: Land Division
Parcel # 15-31-128-023

James Kubicina
District 2

Dear Mr. Lipka:

Susan M. Bowyer, Ph.D.
District 3

The City of Rochester Hills has reviewed your Land Division Application for the above referenced parcel and it has been **DENIED**.

Ryan J. Deel
District 4

Dale Hetrick
At-Large

The reasons for denial are:

Jenny L. McCardell
At-Large

Please see attached memos from the Building and Planning Department

Mark A. Tisdell
At-Large

Details for denial are outlined on the attached memorandum dated July 3, 2018 from the Building Department and July 10, 2018 from the Planning Department. Approval Document from the DPS/Engineering Department is also enclosed for your general information. Please review the comments made by these departments.

If you have any further questions in regard to the denial of the land division application, please call the department denying the land division. Engineering – 248-656-4640, Planning – 248-656-4660 and Building – 248-656-4615.

Sincerely,

Laurie Taylor, Director
Assessing Department

LT/hs

Enclosures: Review comments from DPS/Engineering Services
Review comments from Building Department
Review comments from Planning & Economic Development

c: Cherry Nystrom, Building Department
Jason Boughton, DPS/Eng
File



JRB

ASSESSING

JUL 13 2018

RECEIVED

DPS/Engineering
Allan E. Schneck

From: Jason Boughton, AC, Engineering Utilities Coordinator
To: Laurie Taylor, MMAO (4), Director of Assessing
Date: July 13, 2018
Re: Land Division for Parcel 15-31-128-023

Approved

The Department of Public Services has reviewed the land division application for the above referenced parcel and offers the following comments:

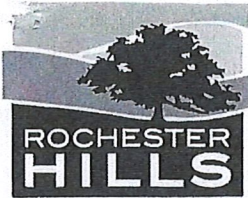
1. Parent parcel (3079 Eastwood Dr.) has an existing home with a detached garage and shed. All the existing structures are on proposed parcel 1. Proposed parcel 2 is clear of structures.
2. A public water system is available to both the proposed parcels. The existing home (3079) is currently connected to the 24" ductile iron water main on the west side of Eastwood Dr. The 24" ductile iron water main on the west side of Eastwood Dr. is available for proposed parcel 2 connection.
3. A public sanitary sewer system is available to both proposed parcels. Proposed parcel 1 with the existing home (3079) is currently connected to the 8" PVC Truss sanitary main on the east side of Eastwood Dr. Proposed parcel 2 has an existing wye connection available. The location of the existing connection to sanitary sewer for parcel 2 will need to be field verified. Sanitary leads must be in good working order.
4. There is open ditch drainage available for both proposed parcels.
5. Proposed parcels 1 and 2 are located on the east side of Eastwood Dr. with access to an existing 50' right-of-way.

The Department of Public Services has not researched any zoning issues. Based on our review and the above comments, the Department of Public Services does not object to approval of this land division.

JRB/NC/bd

c: Craig McEwen, Building Dept.
Judy Bopp, Clerical Staff; DPS
Bonnie DeVoe, Clerical Staff; DPS
File

Heidi Shevokas, Assessing Dept.
Josy Foisy, Clerical Staff; DPS
Cherry Nystrom, Building Dept.



M I C H I G A N

BUILDING DEPARTMENT

Scott Cope

From: Cherry Nystrom, Ordinance Technician *W*
To: Laurie Taylor, Director of Assessing
Date: July 3, 2018
Re: 15-31-128-023

Assessing

JUL 03 2018

Received

Recommendation: Denial

Comments:

Proposed parcels are zoned R-4 single family residential. The proposed split will create two lots.

Parcel 1 contains an existing house, detached garage and shed. The existing house does not meet the required 10' side yard setback to the proposed lot line. There is currently an open building permit for a detached garage that requires inspection and approval.

Parcel 2 is substandard in lot width to the R-4 zoning district. However, lots of this width are consistent in the Dodge Auburn Park subdivision. There appears to be sufficient buildable area on Parcel 2 to construct a house that meets the minimum requirements of the R-4 zoning district. Any new construction will be required to conform to the average front yard setback if there are existing homes within 200' of the lot, on the same side of the street, that have an average setback that differs from the front setback as required within this ordinance by more than 10 feet, then the average front yard setback shall be used as the required front yard setback.

A right-of-way tree permit may be required for the removal of or damage to any trees located in the public right-of-way.

Not reviewed for wetlands, floodplains or drainage.



Assessing

JUL 11 2018

Received

Planning and Economic Development

Sara Roediger, AICP, Director

From: Kristen Kapelanski, AICP, Planning Manager
 To: Laurie Taylor, Director of Assessing
 Date: 07/10/18
 Re: Land Division Application for 15-31-128-023

The Planning and Economic Development Department has reviewed the land division application for the subject parcel in accordance with the City of Rochester Hills Zoning Ordinance (Chapter 138) and Land Division Ordinance (Chapter 122) and **denies** the requested land division as further described below.

1. **Minimum Lot Size and Front Width** (Section 122-28(b)(2) and 138-5.100-101). *The minimum lot size in area and the minimum front lot line width of any lot, outlot, or other parcel of land shall be in compliance with the applicable requirements of the city zoning ordinance. As noted in footnote W. of the Schedule of Regulations, "Where a proposed parcel is located within a plat where the underlying platted lots are less than the minimum lot width required in the R-4 district and where the resultant lot width would be consistent with the character of the existing one-family neighborhood the minimum lot width may be reduced to the width of the underlying platted lot or 60 feet, whichever is greater. When a reduced lot width is permitted the minimum lot area shall be 7,000 square feet. Buildings on such reduced lots shall comply with the minimum setbacks and all other requirements not involving lot width or area otherwise applicable in the R-4 district."* The proposed application results in lots that are consistent in size with a neighborhood that has lots that are 60 feet in width. **However, the existing house to remain on Parcel 1 would be setback 8.7 ft. from the proposed parcel line. A ten foot setback in the side yard is required.**

Requirement	Existing	Proposed	Proposed	Staff Comments
	-023	Parcel 1	Parcel 2	
Min. Lot Width 80 ft.	120 ft.	60 ft.	60 ft.	In compliance
Min. Lot Area 9,600 sq. ft.	41,400 sq. ft.	20,700 sq. ft.	20,700 sq. ft.	

2. **Buildable Lot** (Section 122-28(b)(2)). *All resultant parcels shall be buildable sites, having sufficient upland area outside of wetlands, and required buffer, and floodplains to meet minimum structure setback, floor area, parking, sewage disposal, and accessory building and use requirements.* In compliance, there are no wetlands or floodplains on the properties, and the resultant parcels result in sites that can accommodate a dwelling unit that is similar in size to many dwelling units in the area which results in a building envelope capable of accommodating a home and accessory buildings and uses.
3. **Access** (Section 122-28(b)(5) and 138-5.100). *Every resultant parcel abuts a public road, or, if there is no public road, there shall be a private road constructed and approved pursuant to Section 122-31 prior to any division or partition.* In compliance, the resultant properties all abut Eastwood Drive, a public road.
4. **Findings for Approval** (Section 122-30). The proposed land division does not comply with Finding a. listed below and therefore is **denied** by the Planning and Economic Development Department.
 - a. *The division or partition will result in lots or parcels of land having a size and shape consistent and harmonious with that of other parcels in the immediate area. The existing house to remain on Parcel 1 would be setback 8.7 ft. from the proposed parcel line. A ten foot setback in the side yard is required.*