



innovative *by* nature

Bryan K. Barnett     October 10, 2019  
Mayor

City Council             Father and Son Construction Company  
5032 Rochester Rd. Suite 100  
Stephanie Morita       Troy, MI 48085  
District 1

James Kubicina         RE:    Application for Building Permit  
District 2                     510 Driftwood, 15-14-430-010

Susan M. Bowyer, Ph.D.     Dear Sir or Madam,  
District 3

Ryan J. Deel             We are in receipt of your application for a building permit to construct an addition at  
District 4                     the above referenced location; however, your application does not meet the  
Dale Hetrick             requirements as set forth in our Ordinance for the following reason:  
At-Large

Mark A. Tisdell         *Item #1*  
At-Large

David Walker             **Rochester Hills ordinance Section 138-5.100, Schedule of Regulations Table  
At-Large                     5, requires a minimum side yard setback of 10 feet.**

**The submitted plot plan indicates the side yard setback to the proposed addition is 7 feet measured perpendicular to the side property line, a violation of 3 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

Robert White  
Manager of Ordinance Compliance