



## CBI DESIGN PROFESSIONALS

March 11, 2019

City of Rochester Hills  
Zoning Board of Appeals  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

RE: 981 Allston Drive Variance Request

Dear Members of the board,

Thank you for your consideration of our request to allow for 2 dimensional variances on the proposed addition to our residence. We are requesting a variance to the average front setback to allow the proposed addition to be at the same distance as the current home from the front property line and additionally a side yard variance of 5/12 of a foot from the side yard. The side yard variance is only a small portion of the front wall due to a minor rotation of the home in relation to the property line. Below are the answers to the application questions in the order which they were asked.

1. Practical Difficulty

- a. Front yard- The current residence comes to the same location on the property as the proposed addition. We are simply adding a section to the home that matches the current distance of the existing residence. This area of the property is the most capable of an addition.
- b. Side yard- This variance is due to 2 factors. The residence was built at a slight angle to the property line making the minor sliver of the proposed addition crossing over the side yard by 4 7/8 inches. The second is that the main floor of the residence was inadvertently built 2 1/2" beyond the foundation wall and the brick is corbeled up to the stud wall the 4" step allows this error to be captured by the new brick wall.

2. Substantial Justice

- a. Granting of these variances will allow this property to be updated to a level that creates a better standard for the community allowing the adjoining properties to maintain a higher property value without creating an unusual scale in the neighborhood. Similarly this addition allows for the long term sustainability of this residence as our family home. We are combining two families and the home that was designed for 2 children and parents is now being used for 4 visiting adult children, spouses, and an increasing number of grandchildren.

3. Lesser Variance.

- a. The front variance is only matching the distance of the current residence. A lesser amount would make the lower level bedroom and first floor space too small for the intended use.
- b. The minor sliver of area needed for the side yard variance is needed in order to capture the original construction problem described earlier. It only captures this by 1 ½" which is the minimum to realistically make the closer we need to make.

4. Unique Circumstance

- a. The front set back is due to an average of the homes to the south. These homes are on very large parcels that are approximately twice as deep as my parcel. Those homes were all set back significantly from the front due to their large depth which allowed for extremely large rear yards at the same time. When my home was built the average setback allow for a maximum requirement of 50 feet regardless of the average setback of the adjoining properties. Since this property is the minimum area for a lot in this area the 50' front setback required at that time already made the rear yard significantly smaller than those of home in this general area. By maintaining this setback it doesn't impact the neighbors' homes in any way and allows for what was contemplated and would have been allowable when the home was built.
- b. The side yard variance is created by the inadvertent rotation of the home to the property line which happened during construction. This is necessary to capture an offset described earlier and to plain out the current roof line with the new roof line.

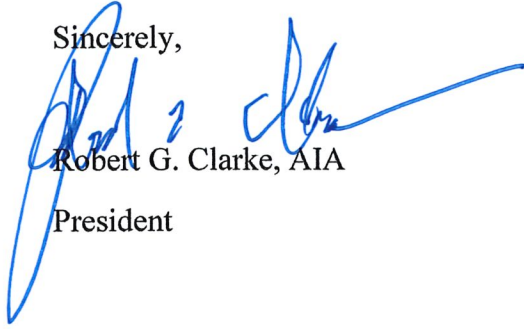
5. Not Self-Created

- a. The front yard was allowable when the house was built and is being impacted heavily by the very large properties adjacent to my smaller parcel
- b. The side yard is due to a rotation that was inadvertently done by a foundation contractor during the original construction. The original documents show the residence aligned with the property line which if it had been constructed as designed it would not have needed a variance.

6. Public Safety and Welfare

- a. The front setback matches where the current home is in relation to the front setback and therefore has no impact on the Public Safety and Welfare compared to the current residence.
- b. The side yard variance is for 3.3 s.f. of area which is so minor that it would not be identifiable to most people without full survey data. It has no impact on the Public Safety and Welfare.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Robert G. Clarke', with a long horizontal flourish extending to the right.

Robert G. Clarke, AIA

President