

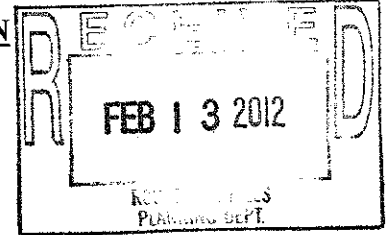
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309
(248) 656-4660

For Official Use Only

File No. 12-003

Date: 2/13/02

ZONING BOARD OF APPEALS APPLICATION
(Non-Use or Dimensional Variance)



1. **Property Information:**

Address of Affected Property:

2466 LEACH RD.

Lot No. and Subdivision Name:

AUBURN HIGHLANDS. (Lot-25)

Tax I.D. No./Sidwell Number:

15-30-451-013.

Zoning District:

I-IND.

Current Use:

RESIDENT'S.

2. **Request:**

Non-use (or dimensional) Variance

Ordinance Section:

ARTICLE 10 - SEE 138-10, 102 ITEM B.
(Variance being requested from)

Brief Description of Request:

BE ALLOWED TO KEEP GAR THERE AND PUT PRIVATELY FENCE UP. ALSO WAS ISSUED A PERMIT TO BUILD THE GAR. WHY EIGHT YEARS LATER IT'S A ISSUE?

3. **Criteria for Non-Use Variance:**

The City of Rochester Hills Zoning Ordinance authorizes the Zoning Board of Appeals to vary or modify the Ordinance where there is a practical difficulty or unnecessary hardship in the way of carrying out the strict letter of the Ordinance.

A **non-use variance** is a variance granted to provide relief from a specific standard in the Ordinance, which usually relates to an area, dimensional or construction requirement or limitation. To obtain a non-use variance, an applicant must present proof that a practical difficulty exists, and the practical difficulty must relate to a unique circumstance of the property, as distinguished from a personal circumstance or situation of the applicant.

- a) **Practical Difficulty.** Describe how compliance with the strict letter of the regulations governing area, setback, frontage, height, bulk, lot coverage, density or other dimensional or construction standards will unreasonably prevent use of the affected property for a permitted purpose, or will render conformity with such restrictions unnecessarily burdensome.

THIS DOES NOT AFFECT ANYBODY'S PROPERTY
IN NO WAY

- b) **Substantial Justice.** Describe how granting the variance will do substantial justice to the applicant as well as to other property owners in the District.

THERE ARE MANY OTHER GARIS ON LEACH
THAT ARE CLOSER THEN FIVE FT FROM
PROPERTY LINE.

- c) **Lesser Variance.** Describe how granting a lesser variance would not give substantial relief to the applicant and/or be more consistent with justice to other property owners in the District:

I DO NOT UNDERSTAND WHY EIGHT YEARS
LATER IT'S A ISSUE WHEN I WAS GRANTED
A PERMIT TO BUILD.

- d) **Unique circumstance.** Describe how the request results from a special or unique circumstances peculiar to the affected property, that do not apply generally to other properties or uses in the same district or zone.

THIS IS VERY EXPENSIVE TO MOVE
AND THE SURVEY STAKES WERE WRONG
THAT I FOUND (CAPS WERE ON THEM.)

- e) **Not Self-created.** Describe how the alleged hardship has not been created by the actions of the applicant or any person having a current interest in the property.

THIS WAS NOT BUILT TO HARM OR
CREATE ANY PROBLEMS TO ANYONE.

- f) **Public Safety and Welfare.** Describe how the request would not be materially detrimental to the public welfare or materially injurious to this property or other properties or premises in the zone or district in which the property is located.

THIS IS NO HARM TO ANYONE'S PROPERTY
THE CLOSEST THING I 25 FT AWAY.
AND ON MY PROPERTY.