



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.

- 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.	

- 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.
- 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.
- 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.
 - 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.***

- b. There has been compliance with the requirements of this article and the other applicable provisions, standards, rules and regulations of this Code.*
- c. The provisions for any private road shall be in compliance with section 122-31 and shall not be injurious to the public health, safety and welfare and shall be generally compatible with the surrounding land use and development.*
- d. The division or partition and the ability to develop buildable sites on resultant parcels will not unreasonably disturb wetlands, floodplains, or other natural features of the land or that any disturbance to these areas is permitted pursuant to a wetland and/or floodplain permit issued by the city.*
- e. The nature and location of vehicular ingress and egress will not unreasonably interfere with or hinder appropriate development and use of adjacent land or unreasonably impair the value thereof or cause a nuisance thereto.*
- f. The location, size, and layout of resultant parcels will not be unreasonably detrimental to nearby residences because of noise, fumes, lights, or other nuisances nor will it interfere with any adequate supply of light and air or otherwise endanger public health, welfare, and safety.*
- g. Adequate access to roads and utilities is provided for each resultant parcel which is otherwise a buildable site.*