

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

For Official Use Only

File No. _____

Date: _____

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

1. Property Information:

Address of Affected Property: 46461 DEQUINDRE RD

Lot No. and Subdivision Name: 1919-1924 BROOKLANDS PARK #4

Tax I.D. No./Sidwell Number: 70-15-36-279-038

Zoning District: R-4

Current Use: Private home

2. Request: Non-use (or dimensional) Variance

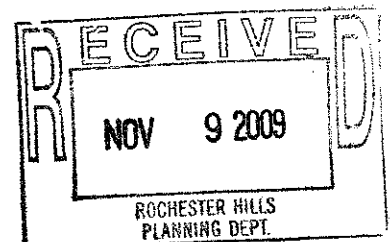
Ordinance Section: _____
(Variance being requested from)

Brief Description of Request: Chickens to remain on
property

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.

Although Property is under an Acre,
I feel my property has the characteristics
of a larger parcel. I thought I had one acre
but did NOT take ROAD variances into consideration

- 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.

will allow owner, family members (Grandchildren),
friends + neighbors to enjoy the chickens
& their fruits. Adjoining property owners
DO NOT object to my chickens (see attached)

- 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:

Owner is asking for smallest possible
variance to comply with C.T. Code.

- 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.

Property is corner piece on MAJOR NOISY ROAD
(Gravel Trains + emergency vehicles due to close proximity to
Beaumont Hospital) of farm road across the street as well
as commercial properties. I also own the property adjoining
south (46353 Deg.); In Total .9 acres.

- 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.

Owner Did Nothing To reduce size of Property. Property used to be greater than an acre but was reduced in size due to ROAD variances.

- 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.

ORDINANCE allows 1+ acre (I Have .9 acres)
Even though I have less than ONE acre I

Have enough personal land to raise fowl. There is a 10' fence back of property so chickens cannot leave owners property. Adjoining property Neighbors DO NOT object to my having chickens (one wants me to keep them - see attached).
Chickens have a large fenced in area + a COOP for their shelter.

If there is anything else I NEED TO DO TO COMPLY WITH MY VARIANCE REQUEST I WILL DO SO.

I provide eggs to two unemployed children + an unemployed neighbor.

10-6-09

IT'S OK WITH ME THAT

MY NEIGHBOR, TOM NOYES, HAS

AN ORGANIC GARDEN + CHICKENS

ON HIS PROPERTY AT 46461 DEQ. RD.

WE ENJOY HAVING THE
CHICKENS IN THE NEIGHBORHOOD.

WE HOPE THEY CAN STAY.

Melissa Potter

Melissa Potter

3125 Hessel Ave

3141 Hessel →

Paul Star 3171 Hessel

Dennis Bradfield
46353 Dequindre

ANONYMOUS

would not open door.

spoke through closed window.

"We're not interested. We don't want to get involved. Keep your chickens."

Change the order

Form Board of appeals
Variance Request
Form Board of appeals

46461 Dequindre Rd

→ DEREK DELECOURT - Planning

