

**City of Rochester Hills
Department of Planning**

**STAFF REPORT TO THE PLANNING COMMISSION
April 4, 2006**

Rezoning Request Parcel No. 15-31-103-002	
APPLICANT	Paul Yagiela 3021 St. Clair Rochester Hills, MI 48309
LOCATION	South of Auburn, East of Adams
PARCEL NO.	15-31-103-002
ACREAGE	0.25± Acre
FILE NO.	06-003
ZONING	B-2 General Business
STAFF	Derek L. Delacourt, Deputy Director
REQUEST	Rezoning to R-4, One Family Residential

SUMMARY

The referenced application concerns a proposal to rezone approximately 0.25 acre of property, located on St. Clair Dr., south of Auburn and east of Adams Road, from B-2, General Business to R-4, One Family Residential.

Specific action requested for consideration by the Planning Commission is a recommendation to rezone a 0.25-acre parcel of land from B-2 to R-4.

BACKGROUND INFORMATION

The subject site is currently zoned B-2, General Business and is developed with a home the owner would like to expand. Under the current Ordinance, he can only expand a residence in a residential zoning. The subject parcel is part of a group of parcels along Auburn Road that have been zoned commercially since the 1960's but have mainly been developed with homes. The B-2 zoning makes the existing single family home a nonconforming use. As a nonconforming use the applicant is not allowed to do any expansion or alteration of the home.

Adjacent Land Uses and Zoning

The parcels located to the south of the subject site are zoned R-4 and are developed with homes. To the north, the parcels include homes and vacant lots zoned B-2. The parcels directly to the east and west are zoned B-2 and developed with homes. The proposed rezoning is consistent and compatible with the surrounding existing uses.

KEY ISSUES

Existing and Proposed Zoning Districts

The intent of the existing B-2 zoning is to cater to the needs of the larger consumer population than serviced by the B-1, Local Business District, which are designed for the convenience shopping of persons residing in adjacent residential areas to permit only such uses as are necessary to satisfy those limited basic shopping and/or service needs, which are not related to the shopping pattern of the citywide or regional shopping centers. Principal permitted uses within the existing B-2 District are specifically listed in Section 138-522 and conditional uses within Section 138-523.

The proposed R-4 zoning districts are designed to provide for one-family, low- density dwelling sites and residentially related uses in keeping with the Master Plan of residential development in the City. Principal uses permitted within the proposed R-4 District are specifically listed in Section 138-257 of The City's Zoning Ordinance, with conditional uses noted in Section 138-258.

Master Land Use Plan Consistency

The parcel is currently identified in the City's 1999 Master Land Use Plan for future land use designation as One-Family Residential. Since the Master Land Use Plan supports the requested rezoning, it is the opinion of staff that a rezoning of the identified parcel to R-4 should be recommended.

The proposed rezoning does not create any dimensional nonconformance on the site, and no variances would be necessary.

Based on the parcel's size, if it were to be redeveloped as B-2 the permitted uses would be very limited and a Type B buffer would be required for the southern property line. For the property owner to enjoy substantial rights and to be able to expand his dwelling unit, Staff believes the best zoning for the parcel would be as residential.

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Staff recommends approval of the following motion relative to City File No. 06-003.

References: Sections 138-257, 258, 522 and 523 of the City's Zoning Ordinance; Public Hearing Notice for Rezoning;

MOTION by _____, seconded by _____, in the matter of City File No. 06-003, the Planning Commission **recommends** to City Council **approval** of the request to rezone Parcel No. 15-31-103-002 from B-2, General Business to R-4, One Family Residential.