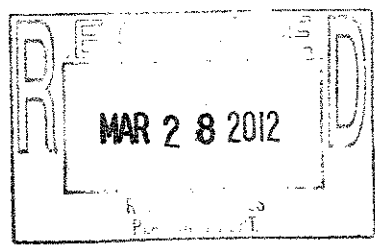


City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309  
(248) 656-4660

For Official Use Only  
File No. 12-005  
Date: \_\_\_\_\_

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



**1. Property Information:**

Address of Affected Property: 430 W. HAMLIN  
Lot No. and Subdivision Name: \_\_\_\_\_  
Tax I.D. No./Sidwell Number: 15-22-451-002  
Zoning District: \_\_\_\_\_  
Current Use: \_\_\_\_\_

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

Ordinance Section: 138.10.102A  
(Variance being requested from)

**Brief Description of Request:**

REQUEST A VARIANCE TO BUILD A DETACHED FRAME GARAGE (576 sq ft) HOWEVER THE EXISTING ACCESSORY BUILDINGS ON PROPERTY ALREADY EXCEED

**3. Criteria for Non-Use Variance: ALLOWED SQUARE FOOTAGE TOTALS.**

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.

AS THE CONDITIONS EXIST. THERE IS CURRENTLY ASSESSORY BUILDINGS UPON THE THE PROPERTY THAT EXCEED MAX. ALLOWED TOTALS ~~THE CONDITIONS ARE ALREADY OVER WITHOUT~~ ~~ADDING THE PROPOSED GARAGE.~~ (NON-CONFORMING

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

BUILT IN 1918 THE PROPERTY (OF 5 ACRES) THERE WAS NEVER A GARAGE, BUILT JUST A BARN. SO CARS OR VEHICLES ARE STORED ON THE DRIVE. ~~ADDING A GARAGE GIVES THE ABILITY TO~~ ~~STORE CARS INTO GARAGE, OUT OF VIEW.~~

- 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:

THE PROPOSED 2-CAR GARAGE (576 sq ft) WOULD BE A BASIC 2-CAR GARAGE, NOT EXCESSIVE. AGAIN ASSESSORY STRUCTURES UPON THE PROPERTY ARE ALREADY ABOVE ALLOWED SQUARE FOOTAGE TOTALS, ANYTHING THAT IS BUILT IS OVER, WE ARE ONLY ASKING FOR A BASIC 2-CAR 24' X 24' GARAGE.

**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 PROPERTY IS NEARLY 5 ACRES. AND WITH THE STRUCTURES THAT ARE ON THE PROPERTY, NONE ARE FOR VEHICLE STORAGE. ~~UNLIKE SURROUNDING SUBDIVISIONS.~~ THAT WOULD HAVE ATTACHED OR DETACHED GARAGES. ON MUCH SMALLER PARCELS.

- 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.

THESE STRUCTURES WERE BUILT PRIOR TO CURRENT OWNER PURCHASING THE PROPERTY / NO STRUCTURES HAD BEEN BUILT BY MR PATTENOS.

- 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.

AGAIN CARS SPRED INTO A GARAGE OPPOSED TO ON THE DRIVEWAY, DAY TO DAY IS BETTER FOR THE NEIGHBOURHOOD.