



Department of Planning and Economic Development
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Zoning Board of Appeals (ZBA) Application

Request Information

Request Type (as defined in [Article 2 Chapter 4 Variances and Appeals](#) of the City's Zoning Ordinance)

Variance:

- ☐ Dimensional (Non-Use)
☐ Use



Appeal

- ☐ Interpretation

Conditional or Temporary Use Permit:

- ☐ Temporary Building or Use
☐ Excavation or Landfill Permit
☐ Other (please describe):

Property Information

Street Address **3610 Dearborn Avenue Rochester Hills MI 48309**

Parcel Identification Number (can be obtained on the [Property Tax Look-Up page on the City's website](#))

70-15-33-402-019

Platted Lot (if applicable)
Subdivision:

Lot No.:

Current Use(s) **Residential**

Zoning District

Appeal (if applicable)

Regulations (as defined in [Section 138-2.404](#) of the City's Zoning Ordinance)

An appeal may be taken to the ZBA by any person, firm or corporation, or by any officer, department, board or bureau affected by a decision of the Building Department concerning the enforcement of the zoning ordinance.

Requested Appeal(s)

Waive setback of 25 feet

Reason for Appeal

Porch with roof was denied, existing home is 18ft from property line. Current steps into home protrude 7'10" from existing home. We are requesting 8ft for porch with steps for safety.

Interpretation (if applicable)

Regulations (as defined in [Section 138-2.405](#) & [Section 138-2.406](#) of the City's Zoning Ordinance)

The ZBA has the power to interpret the ordinance text and map whenever a question arises in the administration of the zoning ordinance as to the meaning and intent of the zoning ordinance.

Requested Article #(s), Section #(s), & Paragraph #(s) for Interpretation

Reason for Interpretation

Conditional or Temporary Use Permit (if applicable)

Regulations (as defined in [Section 138-1-302](#) of the City's Zoning Ordinance)

The ZBA may issue a Temporary or Special Use Permit only when the use is to be in excess of 60 days



Dimensional (Non-Use) Variance (if applicable)

Ordinance Section(s) (variance being requested from)

Review Criteria (as defined in [Section 138-2.407](#) of the City's Zoning 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.

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.

Our home was built in 1941, prior to the current setback requirements. We have lived in this home since 1984. The proposed porch will be same width as current porch with steps. Safety is a major factor. We would not be able to sell our house if the future with the current porch.

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

The current steps are an eyesore and unsafe. We take pride in our home and recently added new siding and a roof. This requested addition of porch improves the character of this old home and neighborhood, as well as making this neighborhood a more desirable place to live.

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.

Granting a lesser variance would not allow a safe entrance/exit of home. The storm door opens up into the persons who need to enter this home, they cannot stand safely on the front landing. My elderly parents who visit need a safe entrance/exit to our home.

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 main entrance to home, it is the only door wide enough to move furniture/appliances into home. The older homes on Dearborn Ave are out of compliance to the current setback. We are on a corner lot. the city was allowed a variance on the north side of home to pave. This additon of a porch would not only make it more attractive but safe.

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 home was built prior to our purchase. The setbacks changed after Avon township became the city of Rochester Hills. We are not in a financial position to tear down our current home and rebuild to the current required setbacks. We are retired and do not want to move. We like our neighbors and the neighborhood.

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.

There is no change in public safety or public welfare. There are no utility lines in the front of our home. Public safety and public welare would increase. Granting this addition of a porch would allow more visualibility and cohesiveness in this neighborhood and prevent unsafe situations.