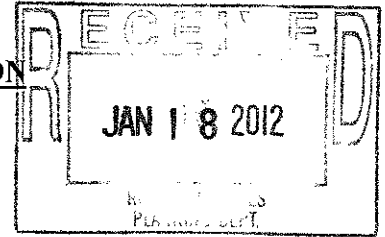


City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309
(248) 656-4660

Official Use Only
File No. 12-004
Date: 1-18-2012

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



1. Property Information:

Address of Affected Property: 3488 HAZELTON AVE., ROCHESTER HILLS, MI 48307

Lot No. and Subdivision Name: LOT 131 AVONCROFT Sub. #1

Tax I.D. No./Sidwell Number: 370-66-1170 / #15-34-176-014

Zoning District: _____

Current Use: Single Family Resident

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

Ordinance Section: 138, 1306, D
(Variance being requested from)

Brief Description of Request: A variance for an additional
169.9 sq. ft.

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.

This building is not visible from the street,
our house or our neighbors homes.

- 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.

We were told by the city that a permit was
not needed for under 200 sq. ft.

- 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 building is up, The homes on both sides
have 1000+ sq. ft. of accessory buildings (4)
2000+ sq ft of accessory buildings (5)

- 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.

Our home is on a slab with no basement.
Built in 1949 with no attic storage.

- 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.

We were told by our builder, neighbors and the city of Rochester Hills we did not need a permit, to build a small accessory building under 200 sq ft.

- 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.

EVERYTHING WAS DONE TO CODE,
