



innovative *by* nature

Bryan K. Barnett
Mayor

July 15, 2025

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GREG DOYLE
1141 CRIPPLE CREEK LANE
ROCHESTER HILLS, MI 48306

RE: Application for Building Permit
1141 Cripple Creek Lane, 15-04-252-002

Dear Mr. Doyle,

We are in receipt of your application for a building permit to construct a garage addition at the above referenced location; however, your application does not meet the requirements as set forth in our Ordinance for the following reason:

Item #1

Rochester Hills ordinance Section 138-5.100, Schedule of Regulations Table 5, requires a minimum side setback of 15 feet on each side, for RE zoning.

The submitted plot plan indicates the side yard setback to the proposed garage is 9.8 feet perpendicular to the west side property line, a violation of 5.2 feet.

Therefore, we are unable to approve your application and are issuing this letter of denial. *You may revise your plans and application in compliance with the Ordinance by eliminating the violation. Revised plans should be submitted to the Building Department for review.*

An appeal of this denial or variance may be requested of the Rochester Hills Zoning Board of Appeals. If you decide to take this matter before the Zoning Board of Appeals, a filing fee and your application for a public hearing before the Zoning Board of Appeals must be submitted to the Planning Department within forty-five days of the date of this letter. Your application will then be placed on the next available agenda.

If you seek a variance, it is necessary to show a practical difficulty in the way of carrying out the strict letter of the ordinance. In determining whether a practical difficulty exists, the Zoning Board of Appeals **MUST** find that:

1. Compliance with the strict letter of the restrictions governing area, setback, frontage, height, bulk, lot coverage, density of other dimensional or construction standards will

unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with such restrictions unnecessarily burdensome.

2. A grant of the variance will do substantial justice to the applicant as well as to other property owners in the district, and a lesser variance will not give substantial relief to the applicant as well as be more consistent with justice to other property owners in the zoning district.
3. The plight of the applicant is due to the unique circumstances of the property.
4. The problem is not self-created
5. The spirit of this ordinance will be observed, public safety and welfare secured, and substantial justice done.
6. There is compliance with the standards set forth in Section 138-2.400B.
7. There is compliance with the standards for discretionary decisions as contained I Section 138-2.302.

If you have any questions regarding the above, please feel free to contact me at 248-656-4615.

Sincerely,

Jodi Welch
Manager of Ordinance Compliance