



PVAI2026-0008
950 Van Hoosen Rd. – Variance for Minimum Front Yard Setback for a Covered Porch

REQUEST	The applicant is requesting a variance from <i>Section 138-5.100 Schedule of Regulations</i> which requires a 25-foot front yard setback in the R-4 One Family Residential zoning district. The applicant is requesting to construct a new covered front porch, encroaching approximately 7 feet 5 inches into the required setback.
APPLICANT	Designhaus Architecture 3300 Auburn Rd., Suite #300 Auburn Hills, MI 48326.
LOCATION	950 Van Hoosen Rd., located south of Tienken Rd., on the east side of Van Hoosen Rd.
FILE NO.	PVAI2026-0008
PARCEL NO.	15-02-477-005
ZONING	R-4 One Family Residential District
STAFF	Chris McLeod, Planning Manager

Requested Variance

The applicant is requesting a variance from *Section 138-5.100 Schedule of Regulations* which requires a 25-foot front yard setback in the R-4 One Family Residential zoning district. The applicant is requesting to construct a new covered front porch, encroaching approximately 7 feet 5 inches into the required setback.

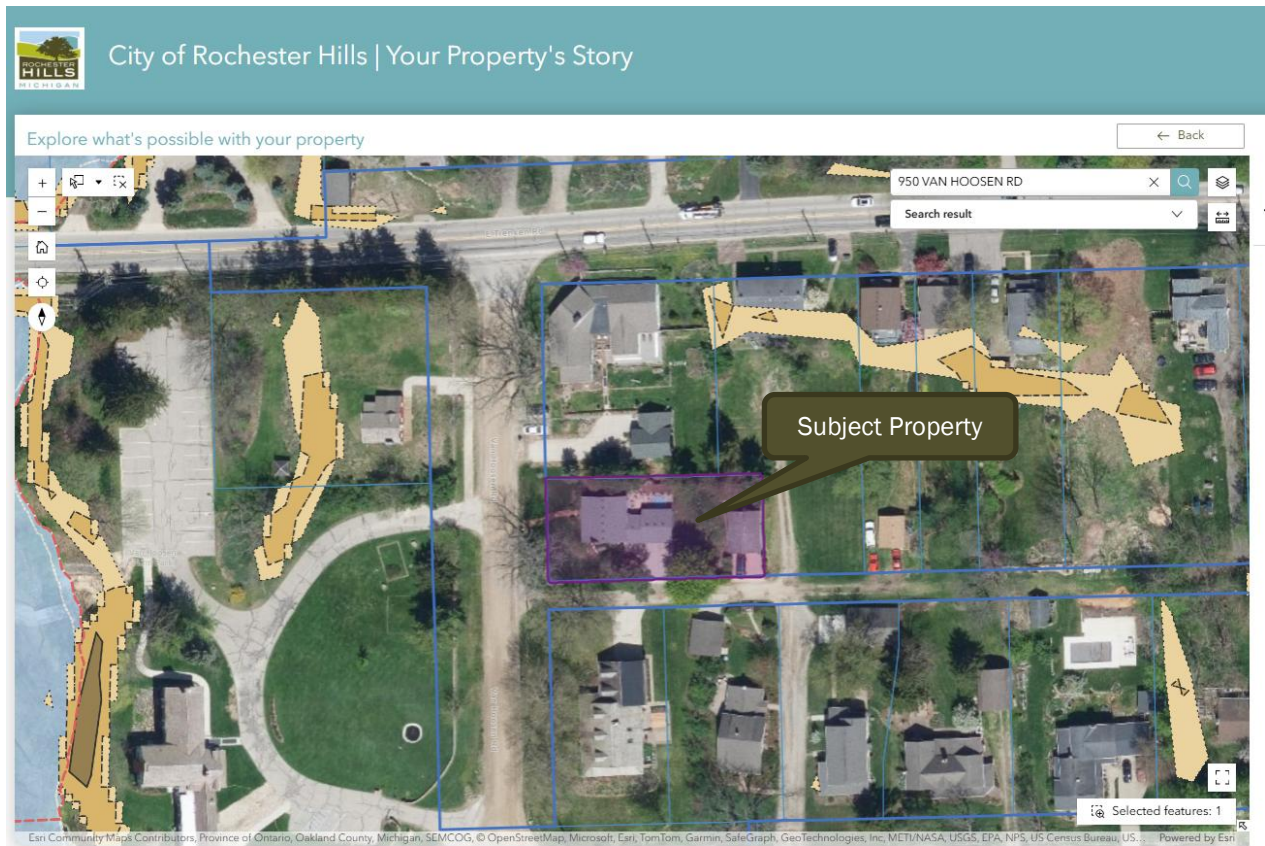
Context

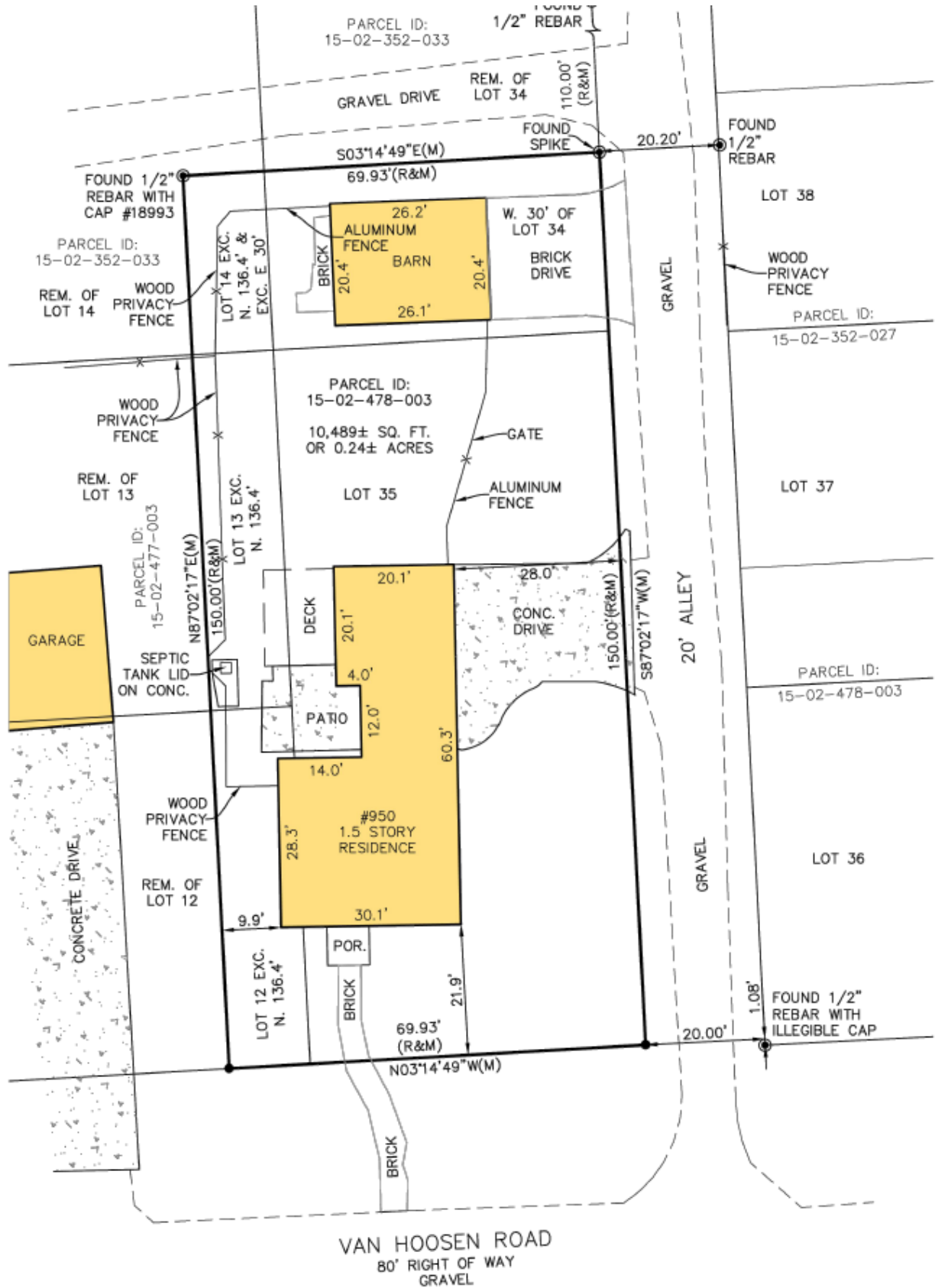
The subject site is located south of Tienken Road and on the east side of Van Hoosen Road. Below is a table for the zoning and existing and future land use designations for the site and surrounding parcels.

	Zoning	Existing Land Use	Future Land Use
Subject Site	R-4 One Family Residential	Residential Home	Neighborhood Residential
North	R-4 One Family Residential	Residential Home	Neighborhood Residential

	Zoning	Existing Land Use	Future Land Use
South	R-4 One Family Residential	Alley / Residential Home	Neighborhood Residential
East	R-4 One Family Residential	Residential Home	Neighborhood Residential
West	R-1 One Family Residential	Red House / Van Hoosen Farmhouse	Parks and Public Open Space

Site Photograph and Survey





Application

As noted, the applicant has requested a variance, which if granted, would allow for a reduced front setback to allow for the construction of a covered front porch. The City's Zoning Ordinance requires that a covered front porch meets the required front building setback of 25 feet in the R-4 One Family Residential zoning district. The existing home is currently located within the required front yard setback by several feet. Any form of a covered porch would therefore require a variance.

The proposed covered porch is part of other home renovations that include the demolition of an existing connection between the home and garage, and the reconstruction of this and portions of the first floor and the addition of a master bedroom and bathroom and closets to the second floor. The proposed renovations add a total 149 sq. ft. to the first floor and 387 sq. ft. to the second floor. The house does have an existing front porch, however it is currently uncovered. The covered porch is limited in size. It is approximately thirty-five (35) square feet, measuring 5 feet by 7 feet. The clearance of the proposed front porch is approximately 9.5 feet, generally consistent with the soffit line for the house. The overall height appears to be approximately 12 to 12.5 feet. The covered porch will include a peaked roof, cedar wrapped columns and a cedar shake front elevation within the peak.

The house has an existing sidewalk, extending from Van Hoosen to the existing front, uncovered porch. The sidewalk ends at the road's edge and there are no sidewalks along Van Hoosen itself. The front porch will provide direct access to the existing front living room. Other than the front porch proposal, the front portion of the home will remain as is. The south side of the living room includes an existing bay type window and a fireplace. The other rooms near the front of the house are what appears to be a full bathroom and a closet along the northern side of the house. The north side of the house, which requires a sideyard setback, is located at the minimum side yard setback of 10 feet. The setback on the south side of the building, the other required side yard, appears to be approximately 28 feet; well in excess of minimum requirements. It is noted that the south side of the house abuts an alley that provides access to the attached garage at the rear of the home.

The property itself is approximately 0.24 acres. Beyond the front yard setback that is subject to this request, it appears that all other applicable setbacks have been met (as discussed above relative to the side yards). The Building Department review of the plans verifies this. The property can be seen here on the [City's Your Property's Story](#) map here. This property is located within the Stoney Creek Historic District. The plan for the renovation of the home has already been reviewed and approved by the City's Historic Districts Commission at their [March 12, 2026 meeting](#). The Commission unanimously approved the proposed addition and redesign.

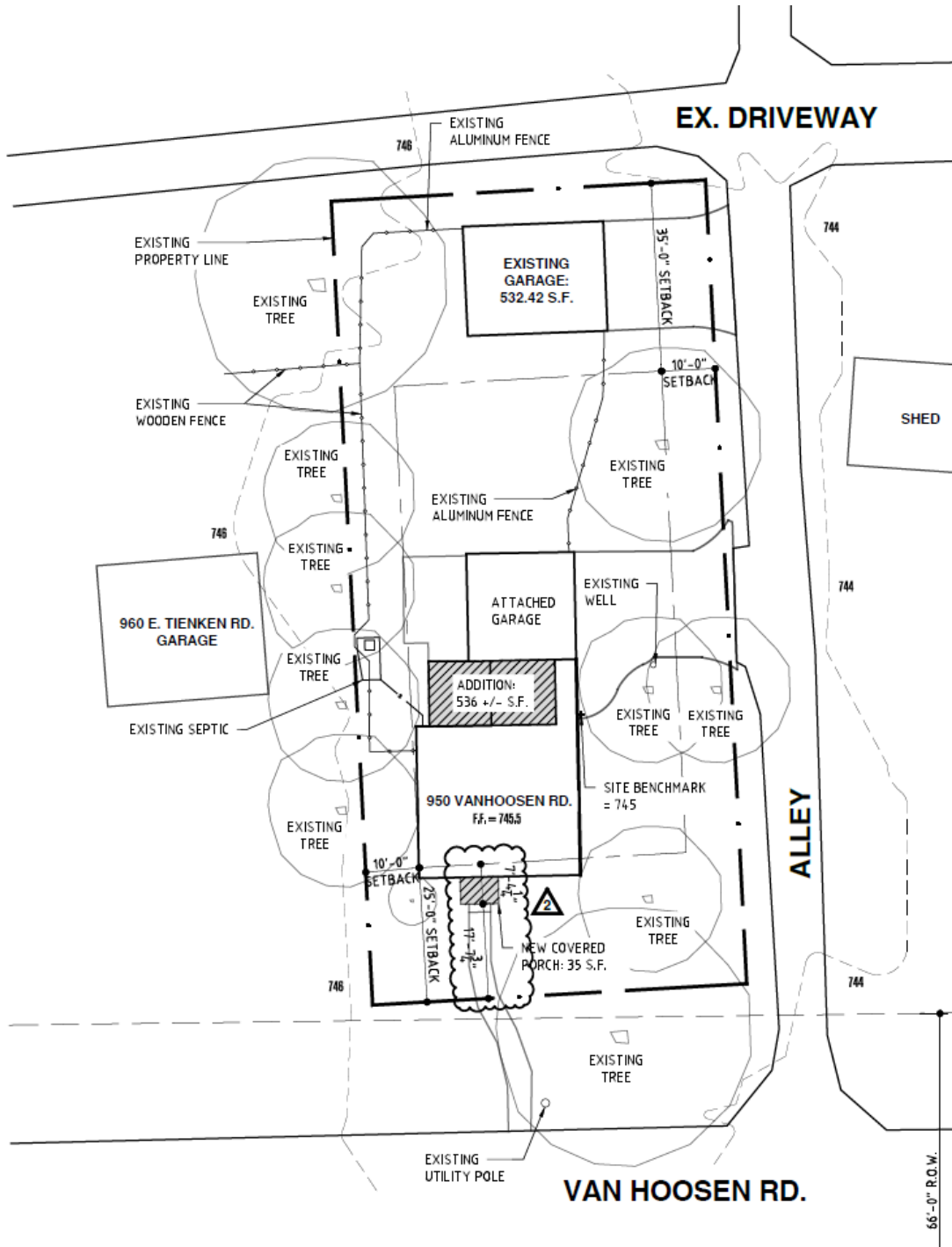
In summation

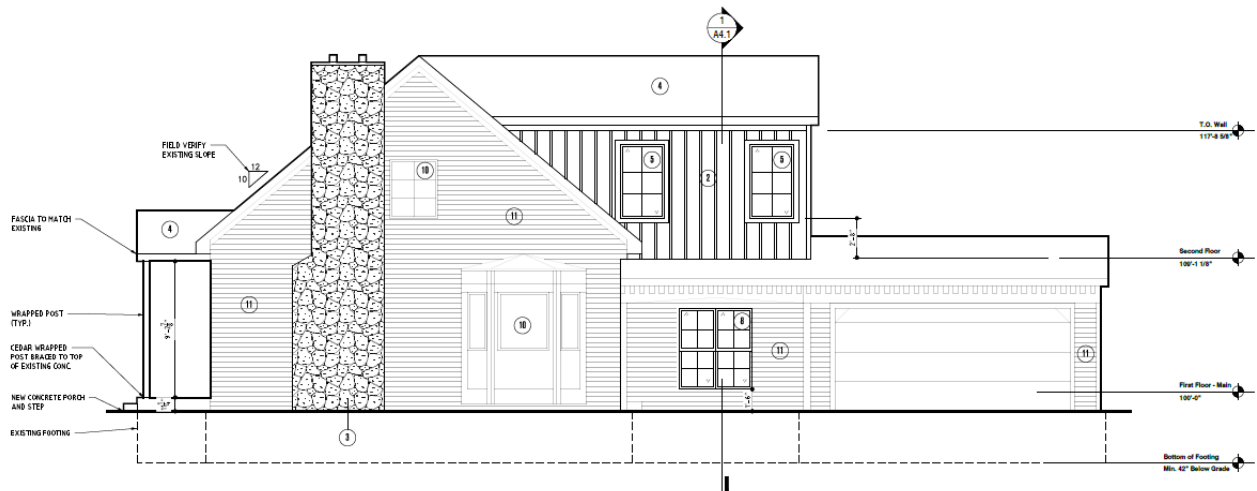
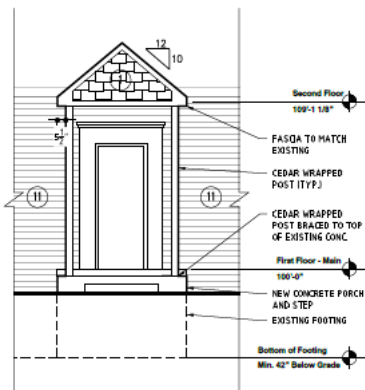
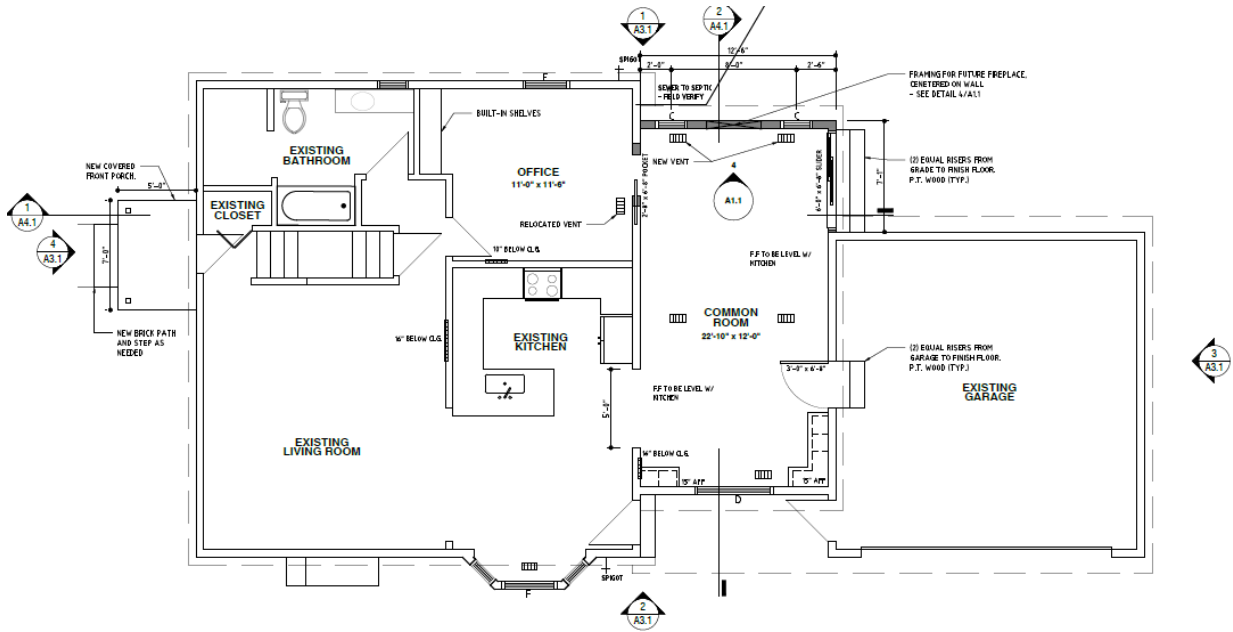
The proposed front porch addition is:

- ✓ An open-air structure that is 5'x7', 35 square feet and approximately 12.5 feet in height
- ✓ Noncompliant with the minimum front yard setback for a main structure (25' required)

- ✓ No other setbacks are impacted, overall lot coverage is compliant
- ✓ Structure has been reviewed and approved as a part of previous Historic Districts Commission review

Proposed Plan





Ordinance

SECTION 138-5.100 - Schedule of Regulations

Table 6. Schedule of Regulations - RESIDENTIAL DISTRICTS

District	Minimum Lot		Maximum Building Height ^A		Minimum Yard Setback (feet)				Min. Floor Area (sq. ft.)	Max. Lot Coverage (all buildings)
	Area (sq. ft.)	Width (ft.)	Stories	Feet	Front	Side (each)	Side (total)	Rear		
RE	43,560	120	2	35	40 ^B	15 ^{C, D}	30 ^D	35 ^O	1,500	25%
R-1	20,000	100	2	35	40 ^B	15 ^{C, D}	30 ^D	35 ^O	1,500	25%
R-2	15,000	100	2	35	40 ^B	15 ^{C, D}	30 ^D	35 ^O	1,400	25%
R-3	12,000	90	2	30 ^P	30 ^B	10 ^{C, D}	20 ^D	35 ^O	1,200	30%
R-4	9,600 ^R	80 ^R	2	30 ^P	25 ^{BJ}	10 ^{C, D}	20 ^D	35 ^O	912	30%
R-5	See Article 6, Chapter 7 for one-family flex residential district regulations									
RM-1	See Article 6, Chapter 1 for multiple family district regulations									
RCD	See Article 6, Chapter 2 for one-family residential cluster district regulations									
RMH	See Article 6, Chapter 4 for manufactured housing park district regulations									
MR	See Article 6, Chapter 5 for mixed residential (overlay) district regulations									

Analysis

In the case of a dimensional variance, the Zoning Ordinance requires the ZBA to make a finding that a practical difficulty exists that precludes the property owner from meeting the requirements of the Ordinance. *Section 138-2.407.B.* provides criteria for determining if a practical difficulty exists. Please refer to the ZBA application for the applicant’s full responses to the following criteria.

1. *Compliance with the strict letter of the restrictions governing area, setback, frontage, bulk, height, lot coverage, density or 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.* The applicant has indicated that compliance with the existing front setback will be burdensome by requiring the homeowner and guests to be exposed to the elements when entering the house. Further, the applicant indicates that adjacent houses have covered front porches and that allowing a covered front porch will allow the house to blend in with the surrounding context.
2. *A granting 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.* The applicant has indicated that granting the variance will increase curb

appeal and protect the property owners and visitors from the elements. Further, the applicant has indicated that the proposed request is the minimum required to make the porch addition functional while keeping with the harmony of the front façade; and that anything smaller or larger would render the porch out of scale and proportion with the rest of the house.

3. *The plight of the applicant is due to the unique circumstances of the property.* The applicant has indicated that the unique circumstance is that the house was constructed by the previous owner and the previous (current) design lacked a front porch.
4. *The problem is not self-created.* The applicant did not provide a direct response within the application, please refer to the Appeal Statement Letter. The applicant has indicated that the hardship is not self-created and that the original construction of the house was by previous owners and that the current owners want a porch that others have in the district.
5. *The spirit of this ordinance will be observed, public safety and welfare secured, and substantial justice done.* The applicant has indicated that the addition will be constructed of new building materials and with modern construction methods and codes.

Sample Motions – Variance Request

Motion to Approve

MOTION by _____, seconded by _____, in the matter of File No. PVAI2026-0008, that the request for a variance of approximately 7.5 feet from Sec. 138-5.100 *Schedule of Regulations*, which requires a front yard setback of 25 feet in the R-4 One Family Residential zoning district, 950 Van Hoosen Rd. and Parcel Identification Number 15-02-477-005, be **APPROVED** to allow for the reduced front yard setback, to allow for the construction of an open air, covered front porch as shown on the submitted plans, because a practical difficulty does exist on the property as demonstrated in the record of proceedings and based on the following findings. With this variance, the property and the subject structure shall be considered by the City to be in conformity with the Zoning Ordinance with respect to the setbacks for which this variance is granted.

1. Compliance with the strict letter of the Zoning Ordinance would prohibit the reasonable use of the entire property and without the variance would be unnecessarily burdensome on the applicant to construct a covered porch that would be consistent with the approved Historic District Plans and other similar homes in the Stoney Creek Historic District.
2. Granting the variance will preserve a substantial property right for the applicant and thus substantial justice shall be done.
3. A lesser variance will not provide substantial relief, and would not be more consistent with justice to other property owners in the area.
4. There are unique circumstances of the property that necessitate granting the variance as described in the above criterion, specifically that the existing front façade of the home is already located within the required front yard setback, and the proposed covered porch

is an open air structure and only extends an additional 5 feet from the front façade of the house. Additionally the south side of the home, where the addition could potentially be built includes an existing fireplace and chimney along with a bay window, and the north side of the house is located at the required setback already. Finally, this proposed addition has already been found to be appropriate with the City’s Historic Districts Commission.

5. The granting of this variance would not be materially detrimental to the public welfare or existing or future neighboring uses since the subject property does not have an immediately abutting neighbors.
6. Approval of the requested variance will not impair the supply of light and air to adjacent properties, increase congestion, increase the danger of fire, or impair established property values in the surrounding area.
7. ***(Insert additional rationale as to why variance should be granted)***

Motion to Deny

MOTION by _____, seconded by _____, in the matter of File No. PVAI2026-0008, that the request for a variance of approximately 7.5 feet from Sec. 138-5.100 *Schedule of Regulations*, which requires a front yard setback of 25 feet in the R-4 One Family Residential zoning district, 950 Van Hoosen Rd. and Parcel Identification Number 15-02-477-005, be **DENIED** because a practical difficulty does not exist on the property as demonstrated in the record of proceedings and based on the following findings:

1. Compliance with the strict letter of the regulations of the Zoning Ordinance will not prevent the owner from utilizing their property in its current configuration since a residence has been constructed on the site and therefore no practical difficulty has been demonstrated for this property. A covered front porch is not a requirement of the ordinance or the building code. The applicant has not shown that additional design options were explored to utilize the south side of the home, where the covered front porch could be constructed compliant with setback requirements. Finally, this condition was present when the current owner purchased the property.
2. Granting the variance will not do substantial justice to nearby property owners as it would confer special benefits to the applicant that are not enjoyed by other property owners in the vicinity.
3. There are no unique circumstances of the property that have been identified by the applicant that necessitate granting the variance at this time.
4. The granting of the variance would be materially detrimental to the public welfare by establishing a precedent that could be cited to support similarly unwarranted variances in the future. The granting of this variance could encourage further incursions upon the Zoning Ordinance which would result in further variances being considered by the Zoning Board of Appeals and could be construed as removing the responsibility of meeting the requirements of the Zoning Ordinance from applicants.