



Department of Planning and Economic Development
 1000 Rochester Hills Dr.
 Rochester Hills, MI 48309
 (248) 656-4660

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:
<input checked="" type="checkbox"/> Dimensional (Non-Use)
<input type="checkbox"/> Use | <input type="checkbox"/> Appeal
<input type="checkbox"/> Interpretation | Conditional or Temporary Use Permit:
<input type="checkbox"/> Temporary Building or Use
<input type="checkbox"/> Excavation or Landfill Permit
<input type="checkbox"/> Other (please describe): |
|--|--|---|

Property Information

Street Address	3681 S.Adams Road		
Parcel Identification Number	70-15-31-351-020	Platted Lot (if applicable) Subdivision:	Lot No.:
Current Use(s)	Historic Home , Vacant Land	Zoning District	R-4 with FB

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)

N.A.

Reason for Appeal

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

N.A.

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 **N.A.**



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Dimensional (Non-Use) Variance (if applicable)

Ordinance Section(s): Indicate specific section(s) of the zoning ordinance that the variance(s) are being requested from and the specific variance(s) being requested (i.e., amount of encroachment into a required setback, amount of lot coverage exceeding the maximum amount permitted) **138-8.401 - Setback Requirements**

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.

Please provide a thorough response to each of the following criteria.

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.

Strict compliance with the FB Overlay build-to requirements would create an unnecessary hardship on the property due to the unique conditions associated with the existing historic home, the Historic District considerations, and the site's frontage configuration.

The historic home is positioned in a manner that limits the ability to place new structures within the required build-to area along South Adams Road while still preserving the character and integrity of the historic property. In addition, the frontage and entrance conditions along West South Boulevard do not provide sufficient space to reasonably accommodate both the required roadway access and building placement within the required build-to line.

In addition, the frontage along West South Boulevard is 100 feet wide. It is not possible to provide the required 50-foot setbacks from residential properties and build within the build to portion of the property that is 100 feet wide.

Without the requested variance, the property cannot be reasonably developed in a manner that preserves the historic structure, maintains safe circulation and access, and allows for a practical and functional site layout for a permitted use

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

Granting the requested variance will provide reasonable relief to the applicant while remaining consistent with the intent of the FB Overlay District and surrounding properties. Due to the unique constraints created by the existing historic home, frontage conditions, and required site access, strict compliance with the build-to requirement is not achievable.

The variance request allows reasonable development of the property while preserving the historic character of the site, maintaining safe circulation, and minimizing impacts to neighboring properties within the same zoning district.

The proposed project drive locations and blanket access easements will allow for future development on the neighboring properties to share access and meet the build-to requirements.

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 same Zoning District.

Granting a lesser variance would not provide substantial relief to the applicant due to the unique constraints associated with the existing historic home, the Historic District considerations, and the limited frontage conditions along both South Adams Road and West South Boulevard.

A smaller reduction to the build-to requirement would still create impractical site limitations, restrict safe access and circulation, and negatively impact the ability to preserve the historic character of the property. The requested variance represents the minimum relief necessary to allow reasonable development of the site while maintaining compatibility with surrounding properties and the intent of the zoning district.

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 Zoning District.

On the South Adams frontage, the existing historic home is currently located approximately 68 feet from the roadway. Due to the location of the historic structure and the requirements associated with preserving the Historic District character and approvals, compliance with the required FB Overlay build-to line is not achievable along this frontage.

Along West South Boulevard, strict compliance with the build-to requirement is also impractical due to the overall width and configuration of the site entrance, which limits the ability to position buildings within the required build-to area while maintaining safe circulation and access to the property.

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.

The requested variance results from unique circumstances specific to this property that do not generally apply to other properties within the same zoning district. The west portion of the property along South Adams Road contains an existing historic home located within the Historic District, and the proposed development is being designed to preserve the historic character and surrounding context of the site.

Additionally, along the West South Boulevard frontage, the site entrance, required setbacks, and overall frontage width create limitations that do not allow adequate space to accommodate a building within the required build-to line. These existing site constraints make strict compliance with the FB Overlay build-to requirement impractical.

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 same Zoning District in which the property is located.

Granting the variance will not negatively impact public safety or neighboring properties. The request allows the site to be developed in a thoughtful manner while preserving the historic structure and maintaining appropriate setbacks, future circulation, landscaping, and site design.

The cross-access easements incorporated into the proposed plan will be a net benefit for the future development of the neighboring properties consistent with the intent of the FB Overlay District.



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ZBA Application

Use Variance (if applicable)

<p>Ordinance Section(s): Indicate specific section(s) of the zoning ordinance that the variance(s) are being requested from</p> <p>N.A.</p>
<p>Review Criteria: (as defined in Section 138-2.408 of the City's Zoning Ordinance)</p> <p>A use variance is a variance that allows a property to be used in a way for which the ordinance does not otherwise permit in the Zoning District where the property is located.</p> <p>To obtain a use variance, an applicant must present proof that an unnecessary hardship exists, and the unnecessary hardship must relate to a unique circumstance of the property, which prevents the applicant from reasonably using the property for a permitted purpose.</p>
<p>A use variance may not be applied for without first attempting to rezone the property. Has a rezoning been applied for and officially denied by the City?</p> <p><input type="checkbox"/> Yes – Please provide a thorough response to each of the following criteria.</p> <p><input type="checkbox"/> No – If no, please contact the Planning and Economic Development Department to discuss next steps.</p>
<p>Reasonable Use. Describe how the affected property cannot be reasonably used or cannot yield a reasonable return on a prudent investment if only used for a purpose allowed in the Zoning District.</p>
<p>Unique Circumstance. Describe how the request results from a special or unique circumstances peculiar to the affected property and not to general neighborhood conditions.</p>
<p>Essential Character. Describe how the use to be authorized by the variance will not alter the essential character of the area and locality.</p>
<p>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.</p>
<p>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.</p>



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ZBA
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Applicant Information

Name Tony Perez		
Address 281 Enterprise Court, Suite 100		
City Bloomfield Township	State MI	Zip 48302
Phone [REDACTED]	Email [REDACTED]	
Applicant's Legal Interest in Property Agent for Owner		

Property Owner Information Check here if same as above

Name 3880 South Blvd Owner LLC		
Address 4500 Dorr Street		
City Toledo	State OH	Zip 43615
Phone	Email	

Applicant's/Property Owner's Signature

I (we) do certify that all information contained in this application, accompanying plans and attachments are complete and accurate to the best of my (our) knowledge.

I (we) authorize the employees and representatives of the City of Rochester Hills to enter and conduct an investigation of the above referenced property.

Applicant's Signature <i>Anthony J Perez</i>	Applicant's Printed Name Tony Perez	Date 5/19/2026
Property Owner's Signature Signed by: <i>Andrew Cohen</i> FF3C034A9A7A42C...	Property Owner's Printed Name Andrew Cohen Authorized Signatory of 3880 South Blvd Owner LLC	Date 5/19/2026

OFFICE USE ONLY

Date Filed	File #	Escrow #
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ZBA Application Instructions

1. **Completed Applications.** Completed applications include the following.
 - a. Letter of denial from the Building Department (*if applicable*)
 - b. Plot plan or site plan of the subject property drawn to scale depicting (*if applicable*):
 - 1) Shape and dimensions of the property
 - 2) All existing and proposed structures to be erected, altered or use changed
 - 3) Building-to-building and building-to-property line relationships
 - 4) Location of any trees in the affected area measuring at least 6" in diameter
 - c. Elevations and floor plans drawn to scale, depicting the proposed structure or addition in relation to existing structure(s) on the property, as applicable
 - d. Proof of ownership. If the applicant is not the owner of the land in Fee Simple Title, a document (land contract, purchase agreement, option to purchase, etc.) must be provided that indicates the applicant's interest in the property
 - e. Notarized letter from property owner indicating no objection to request
 - f. Any other information which the applicant feels will aid the City in its review or that the City determines is necessary to complete its review

2. **Application Process.** You may submit all required documents online. [Click here](#) to apply for a Planning, Zoning or Engineering Process online.

3. **Review Process.** Prior to submitting an application to the ZBA, an application for a building permit from the Building Department must be submitted. If the proposed construction does not meet the requirements of the zoning ordinance, then the letter of denial will indicate the sections of the ordinance which are not in compliance.

City staff and consultants will review the ZBA application and supporting materials. If it is determined that one or more applicable item(s) are not included or need to be modified, the applicant will be contacted. Incomplete applications will not be placed on a ZBA agenda until all necessary information is submitted and reviewed.

The applicant will be notified of the date and time that the public hearing will be held by the ZBA. A representative for the project must be present at the public hearing. ZBA meetings are generally held the second Wednesday of each month at 7:00 P.M. After the public hearing, if the application is acted upon.

The ZBA application is noticed for public hearing in accordance with Act 110 of the Public Acts of 2006, as amended. Notification is provided to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request, and to the occupants of structures within 300 feet of the subject property. The notice is also published in the local paper (Oakland Press) not less than 15 days prior to the public hearing.

4. **Fees.** Established fees as follows must be provided before the application can be processed. Fees can be paid online once your application has been accepted (a link to pay will be sent to you). Checks should be made payable to the City of Rochester Hills.

Single Family Residence Requests	\$500
All other Variance, Interpretation, Appeals, Decisions or Approval Requests	\$1,000

5. **Questions or Clarifications.** Please contact the Department of Planning and Economic Development at the contact information above for questions or clarifications.