



Department of Planning and Economic Development
(248) 656-4660

ZBA Application

Applicant Information

Name MOHAMED SULTAN / SULTAN HOMES INC		
Address 3210 VILLA NOVA CIR		
City ROCHESTER HILLS	State MI	Zip 48307
Phone 248-910-1935	Email MSULTAN@SULTANHOMESINC.COM	
Applicant's Legal Interest in Property No legal interest just helping my client as a builder		

Property Owner Information ☐ Check here if same as above

Name ZEESHANUDDIN GHORI MOHAMMED		
Address 2069 ROCHELLE PARK DR		
City ROCHESTER HILLS	State MI	Zip 48309
Phone 8722035441	Email zeeshan.ghori@gmail.com	

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 	Applicant's Printed Name MOHAMED SULTAN	Date 04/22/25
Property Owner's Signature 	Property Owner's Printed Name Zeeshanuddin Ghor Mohammed	Date 04/22/2025

OFFICE USE ONLY

Date Filed	File #	Escrow #
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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:

☒ 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 2194 S. Livernois Rd

Parcel Identification Number 15-28-226-009

Platted Lot (if applicable)

Subdivision:

Lot No.:

Current Use(s)

Zoning District R-3

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)

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

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



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ZBA Application

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)

See the attached

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.

See the attached

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.

See the attached

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.

See the attached

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.

See the attached

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.

See the attached

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.

See the attached



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ZBA Application

Use Variance (if applicable)

Ordinance Section(s): Indicate specific section(s) of the zoning ordinance that the variance(s) are being requested from

Review Criteria: (as defined in Section 138-2.408 of the City's [Zoning Ordinance](#))

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.

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.

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?

- ☐ Yes – **Please provide a thorough response to each of the following criteria.**
☐ No – **If no, please contact the Planning and Economic Development Department to discuss next steps.**

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.

Unique Circumstance. Describe how the request results from a special or unique circumstances peculiar to the affected property and not to general neighborhood conditions.

Essential Character. Describe how the use to be authorized by the variance will not alter the essential character of the area and locality.

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.

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.

Dimensional (Non-Use) Variance Application Information

Property Address: 2194 Livernois, Rochester Hills, MI 48309

Ordinance Section(s):

Section 138-5.100-101 — Minimum Lot Width Requirement for R-3 One Family Residential District (90 feet minimum required).

Requested Variance:

A reduction of the minimum lot width from 90 feet to 88.625 feet for both proposed Parcel A and Parcel B.

Review Criteria Responses

1. Practical Difficulty: Strict enforcement of the 90-foot minimum lot width would unreasonably prevent the division of a large, deep residential property into two buildable parcels. Although each proposed parcel far exceeds the minimum lot area requirement (each being over 23,000 square feet compared to the 12,000 square feet required), strict adherence to the width standard would eliminate the possibility of an otherwise viable and harmonious lot split.

2. Substantial Justice: Granting this variance will do substantial justice to both the applicant and nearby property owners. The proposed lot split will allow for reasonable residential development, consistent with the surrounding neighborhood. The new lots would maintain neighborhood character and not negatively impact property values or land use.

3. Lesser Variance: A lesser variance or alternate lot configuration would not provide substantial relief, as the current frontage of 177.25 feet limits the options for division. Without the slight reduction (1.375 feet per lot), an equal division would not be possible, and the property would be unnecessarily restricted.

4. Unique Circumstance: The need for the variance results from the unique frontage dimension of the lot. The property is unusually wide and deep but falls just short of being evenly divisible into two fully conforming parcels. This specific lot condition is not typical of other properties within the R-3 zoning district.

5. Not Self-Created: The hardship is not self-created. The current lot dimensions were established long before the applicant's involvement. The property's existing frontage is a product of historical planning and not a result of any action by the applicant.

6. Public Safety and Welfare: Granting the variance would not be detrimental to public welfare or injurious to nearby properties. Both proposed lots will meet all other R-3 district standards, including area, setback, and access requirements. The absence of floodplains or wetlands ensures no adverse impacts on safety, drainage, or traffic.
