



innovative *by* nature

Bryan K. Barnett
Mayor

June 25, 2025

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District 2

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IAN MCKINZIE
904 Little Hill Ct.
Rochester Hills, MI 48307-3025

RE: Proposed Application for Building Permit
31 Childress Ave.; 70-15-15-428-028

Dear Mr. McKinzie,

We are in receipt of your preliminary site plan to construct a new residence 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 front yard setback of 25 feet in R-4 district. The submitted plot plan indicates the front yard setback to the proposed new home is 20.43 feet.

The proposed setback of 20.43 feet is in violation by 4.57 feet.

Therefore, we are unable to approve your preliminary plans 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,

BUILDING DEPARTMENT

Jodi Welch
Ordinance Manager