



## City of Rochester

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400 Sixth Street  
Rochester, MI 48307  
P: (248) 651-9061  
F: (248) 651-2624  
[www.rochestermi.org](http://www.rochestermi.org)

### ZONING BOARD OF APPEALS REGULAR MEETING AGENDA

*Chairman William Thomas*

*Zoning Board of Appeals Members: Denis Fleming,  
David Gassen, Cody Smith & Ray Thietten*

*Alternates: Jay Huh*

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400 Sixth Street

June 25, 2025

7:00 p.m.

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1. Call to Order.
2. Roll Call.
3. Approval of the regular meeting minutes of May 28<sup>th</sup>, 2025.
4. Mr. Michael Plesche, owner of 322 Highland Avenue, is seeking a waiver in order to add a front-covered porch and re-work a side entry covered stairway to his existing home. The property is located on the south side of Highland Avenue between Mahaffey Avenue and Inglewood Avenue, Sidwell 15-11-160-005, Zoned R-1, One-Family Residential. The specific waiver being sought is as follows:

A waiver of total allowable lot coverage (30.0% permitted, 30.9% requested).

SIDWELL NO: 15-11-160-005

LOCATION: 322 Highland Avenue

5. Mr. Paul Carthew, representing the owners, Carthew Properties Rochester LLC, are seeking 4 variances in order to add two additions to an existing non-conforming building located at 313 South Street. The property is located on the north side of South Street adjacent to the Clinton River, Sidwell Parcel 15-14-153-016, zoned I-2, Industrial 2. The 4 specific variances being sought are as follows:

A variance to the required front yard setback (15 feet required, 0 feet proposed), a variance to Section 403(1) of the Zoning Ordinance which regulates the expansion of non-conforming structures and a variance for providing a 30-foot stabilizing zone above the floodplain (already an existing condition).



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SIDWELL NO: 15-14-153-016

LOCATION: 313 South Street

6. Miscellaneous
7. Adjourn

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-651-9061 forty-eight (48) hours prior to the meeting. Staff will be pleased to make the necessary arrangements to provide necessary reasonable accommodations, including auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting.

ZONING BOARD OF APPEALS  
CITY OF ROCHESTER  
400 SIXTH STREET  
ROCHESTER, MI 48307

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REGULAR MEETING  
May 28<sup>th</sup>, 2025  
7:00 P.M.

### **1. CALL TO ORDER**

Chair Thomas calls to order at 7:00 p.m.

### **2. ROLL CALL**

PRESENT: Chair William Thomas, Denis Fleming, David Gassen, Cody Smith, Ray Thietten, Jay Huh  
ABSENT: Fred VanDame

OTHERS PRESENT: City Manager Nik Banda. Planning & Zoning Coordinator Jeremy Peckens.

### **3. MINUTES**

Regular Meeting Minutes of the meeting held April 23, 2025.

MOTION: Motion to approve the minutes as presented, Smith moves to approve, Thietten seconded.

VOTE: YES: Thomas, Fleming, Gassen, Smith, Thietten

NO: None.

Motion Carried.

### **4. Mr. Micah Wiersma, Project Manager for AKA Architects, representing the owners of 265 E. 2nd Street, the Rochester Downtown Development Authority, is seeking two variances in order to convert the former Animal Hospital to the Maker + The Graham, an Indoor Community gathering space with a new outdoor Stage. Changes were necessary to be made to the originally approved plan that has resulted in the need for two additional variances. The specific variances being sought are as follows:**

A waiver of 10 ft. of a required side-yard setback (5 ft. proposed, 15 ft. required) to square off the proposed building addition, and a waiver of 13 ft. of a required front yard setback (12 ft. proposed, 25 ft. required) in order to construct a new shade awning over the outdoor patio area, in the I-1 (Industrial 1) Zoning Classification.

- SIDWELL NO: 15-14-108-015,019
- LOCATION: 265 E. 2<sup>nd</sup> Street

Chair Thomas outlines the case and the applicant's ask for the variance.

Mr. Banda outlines the case and how the applicant came to the ZBA. The west property line had carports that were shaded during the day and had asked for a waiver for that aspect as well as a waiver for the side yard. The waiver for the side yard is asking for a waiver from themselves since the easement that goes through Water Street is directly affecting the DDA which owns half the fire department and is hence asking for a waiver from themselves. Despite this, they are going through the correct process to come before the ZBA. The plans have updated to move the shade shelters to an awning and looking to shade the front as well. Staff is in 100% support for both waivers.

Steve Auger outlines the change in the setbacks. The issue where this appeared was in the pre-demo and the setbacks changed based on the reskinning of the building. The second issue is since the structure's skin failed they need a new awning; the front facade was failing and they need shade out front for a bigger, more functional space rather than the shallower awnings.

Mr. Thietten asks about the metal front awning, asking what is different. Mr. Auger said it needs to come down and it will be an all new awning. Only the front needs the waiver.

Mr. Thomas asks what the difference between the existing awning and the new one will be. Mr. Auger said it will be about 6 feet.

Mr. Thomas asks for confirmation that no structural poles are coming down. Mr. Auger confirms this is correct.

Mr. Gassen asks for clarification for the 13 ft. waiver, but the application letter says 12. Mr. Banda said they're building it at 12 so they need a 13 ft. waiver.

Mr. Gassen said the Water Street setback seems fine based on existing conditions but the new waiver isn't something that was previously done. He doesn't see the hardship necessitating that as a waiver, he sees the benefits but does not see the hardship for the Board to consider granting the waiver. What is the hardship?

Mr. Auger said the project is going to move forward regardless if this waiver is granted or not, so as a physical hardship with the building moving forward, it is not a direct hardship other than to being what the community is asking for.

Mr. Gassen said in other cases there has been a specific reasoning. There have been 3 other cases the City has cited for the benefit. Mr. Banda reads the 3 points.

Mr. Gassen wants to clarify the infringing is not negative and is minor.

Mr. Banda said since they are not adding onto the building he can support it.

Mr. Gassen clarifies they aren't 1. Negatively affecting a neighbor, 2. It's minor and 3. It's beneficial to the programs the DDA wants.

Mr. Banda confirms these 3 points and highlights that shade was a big deal for the project.

Mr. Gassen asks if these 3 reasons are enough for the Board alone and nothing based on hardships.

Mr. Thomas asks for clarification on where the starting point is measured from; if on the parking lot side, the poles are on the edge of the sidewalk, where they're only asking for a 3 or 4 ft. request, and if the poles can get pushed back. Mr. Banda said he would take the measurement from the face of the awning. Mr. Thomas said it would be measured to edge of building. He's fine approving 13 ft. but is offering potential changes. Mr. Thomas also adds that the motion should include that the variances are override from the August 28th, 2024 motion.

B, E, F, G, I, J, K, L, M

MOTION: Mr. Fleming makes a motion to approve the variances based on variance checklist items B, E, F, G, I, J, K, L, and M, and that this motion overrides the old variances set by the August 28<sup>th</sup>, 2024 approval. Seconded by Thietten.

VOTE: YES: Thomas, Fleming, Gassen, Smith, Thietten

NO: None.

Motion Carried.

**5. Mr. Chris Bayer and Rosario Rivel, owners of 125 Albertson St., are seeking two variances in order to remove an existing non-confirming garage in order to construct a new garage in its place. The property is located on the South side of Albertson Street between Main Street and Pine Street, Sidwell parcel 15-10-476-016, Zoned R-1, One-Family Residential. The specific variances being sought are as follows:**

A variance of 4.5 feet of the required minimum side yard setback for a detached accessory building (5 feet required, 6 inches proposed) and 2.5 of the required rear yard setback for a detached accessory building (3 feet required, 6 inches proposed) within the R-1 (One-Family Residential) zoning classifications.

- SIDWELL NO: 15-10-476-016
- LOCATION: 125 Albertson Street

Mr. Banda opens by commenting on non-accessory buildings being a common theme lately. The existing garage is on City property (the alley). The building was built over the property line on the back side. Practical difficulty is that you could not swing behind the house. You can argue they don't need a garage, but that's not a practical ask. They're taking down a dilapidated building and trying to fit it in.

Mr. Banda said they could tuck it up against the house but then their setbacks would change. They are reducing the non-conforming as well. Neighbors next door were OK with these plans.

Mr. Chris Bayer states they bought the house last year and the garage is more of a giant shed and the existing structure is in extremely bad shape. It would be sinking money if they tried to fix it up. When they had the property surveyed, the structure was quite a bit over the property line and they plan to rebuild by shifting it over 6 inches, reducing the non-conforming aspect. The neighbors are for this.

Mr. Gassen said they could build the garage in its existing footprint but they're doing us a favor by moving it.

Mr. Smith asks Mr. Banda how many properties do we have of this size? Mr. Banda said very few, 2 on this block, 2 on the block to the north and a few on main street to his knowledge.

Mr. Smith asks regarding alleys, there are a few garages abutting the alleys, are those all non-conforming? Mr. Banda said yes. Mr. Smith asked when were all these non-conforming structures built? Mr. Banda said previous to when the City was incorporated.

MOTION: Mr. Smith makes a motion to approve the variance based on checklist items A, B, E, F, G, I, J, K, L, and M. Gassen seconds the motion.

VOTE: YES: Thomas, Fleming, Gassen, Smith, Thietten

NO: None.

Motion Carried.

**6. Ms. Meredith Mannino, owner of Central Bark, 200 Second St., is seeking a variance to install a second identification sign ( a ground sign) at their site. The Sign Ordinance only allows one business identification sign per building within the I-1, Industrial 1 zoning classification. The property is located on the south side of the South Street east of Diversion, Sidwell Parcel 15-14-176-028. The specific variance being sought is as follows:**

To allow a second business identification sign within the I-1, Industrial 1 zoning classification.

- SIDWELL NO: 15-14-176-028
- LOCATION: 200 Second Street

Mr. Banda gives the outline starting by stating businesses either get a wall sign or a ground sign. They can only get a 2nd sign based on a hardship. They chose a building sign. Driving from the west it is hard to see the sign because of the placement. They are not asking for a variance of

square footage for the sign so that is a plus in their favor. It will make a safer entry point having the sign so they are in support.

Meredith Mannino at 200 South Street. They do dog grooming and doggy daycare. Their decision for the original sign was up to Corporate. She would have preferred a ground sign but they chose a building sign. It's easy to miss the driveway if there is no ground sign.

Mr. Gassen asks about the franchise aspect with Corporate picking the building sign. BP was an example of a previous similar Case.

Mr. Huh asks if the franchise has approved the sign.

Ms. Mannino says yes they have.

Mr. Smith asks about the current wall sign and why it wasn't put on the front?

Ms. Mannino said it was a joint decision between the sign company and Corporate. It was easier to see coming from the east.

Mr. Smith asks about precedent and if this would continue or if this would set a precedent.

Mr. Banda answers this would be continuing precedent. He adds that he cannot write something that is one size fits all regarding signs.

Mr. Thomas said he wouldn't want to be promoting 2 signs for everyone, which is what could happen if they open this up.

Mr. Huh asks if taking down the building sign is an option based on the ask. A good franchise would want to comply with the law. The applicant can go to them and say they can only have one sign. Mr. Huh asks the applicant if they need both signs?

Ms. Mannino said it's based on the visibility of the signs and helping with guidance so yes, she wants both.

Mr. Huh asks about Wet Noses, did they not have an issue with only having a ground sign? Mr. Banda said they had a smaller directional sign so it wasn't technically a sign as according to this ordinance.

Mr. Huh said for the look and feel, Corporate said the wall sign is more in line with the look and feel vs decorations to the building.

Mr. Smith echoes his sentiment and was wondering the same thing for the franchise.

Mr. Huh said he would go to the franchise and say their decision is hurting their business and not complying with local law. Ms. Mannino answers she was asking them for the ground sign.

Mr. Banda confirms that a ground sign could be 100 square ft. in industrial district as long as it is 10 ft. back from property line.

Rochester Zoning Board of Appeals

May 28<sup>th</sup>, 2025

Page 6 of 6

Mr. Gassen counters proposing that wouldn't the franchise tell the owner to go ask for a variance for the 2nd sign if that's according to our code.

MOTION: Mr. Gassen makes a motion to approve the variance based on checklist items A, B, E, F, I, J, K, L, and M. Thietten seconds the motion.

VOTE: YES: Thomas, Fleming, Gassen, Thietten

NO: Smith.

Motion Carried.

### **7. MISCELLANEOUS**

Mr. Banda outlines potential upcoming cases.

Mr. Thomas would like the topic of porches and their contribution to lot size to be discussed in the future.

### **8. ADJOURN**

Thomas adjourns at 8:09 p.m.

Respectfully submitted,

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Brian D'Annunzio, Deputy City Clerk



## City of Rochester

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[www.rochestermi.org](http://www.rochestermi.org)

June 17, 2025

TO: Zoning Board of Appeals

RE: Staff Report - ZBA Case 322 Highland Avenue

Mr. Michael Plesche, owner of 322 Highland Avenue, is seeking a waiver in order to add a front-covered porch and re-work a side entry covered stairway to his existing home. The property is located on the south side of Highland Avenue between Mahaffey Avenue and Inglewood Avenue, Sidwell 15-11-160-005, Zoned R-1, One-Family Residential. The specific waiver being sought is as follows:

A waiver of total allowable lot coverage (30.0% permitted, 30.9% requested).

With regard to the existing land use, the site is currently occupied with a home with a smaller front porch and side covered entry covering on the driveway side of the home, along with a detached garage. The owners are looking to add a larger front porch to the front of the home.

1. The site contains 0.15 acres of land, with a frontage of 50 feet along Highland Avenue, and has a depth of 150 feet.
2. The petitioner is seeking to exceed the allowable lot coverage by 0.9% or 60.68 sq. feet. The home, existing porches and detached garage cover 29.88% of the lot at present.
3. The petitioner points out in his application that the front porch is technically not habitable space, and the expanded porch would be more in keeping with many of the other homes on Highland.

Staff recommends **denial** of the waiver requested for the following reason:

1. While staff feels the request is reasonable and a minor exceedance of the allowable lot coverage, we also acknowledge the ask is a **self-created hardship**. The Zoning Board has been hesitant to approve lot coverage waivers in the past. The applicant did differentiate the ask from others being sought in the past by stating that the exceedance is not to make the habitable space of the home larger, but by adding the front porch it would fit into the more traditional home style Rochester is known for, which sport larger front porches. The porch was designed to be the minimum six feet in depth per our Zoning Ordinance.

Sincerely,

*Nik Banda*

Nik Banda  
City Manager & Economic Development Director





City of Rochester

PAID

MAY -7 2025

CITY OF ROCHESTER

**ZONING BOARD OF APPEALS  
APPLICATION FOR HEARING**

Date Filed: 5/7/25 Amount of Fee Paid: \$ 500  
 Location of Property: 322 HIGHLAND AVE. ROCHESTER MI 48307  
 APPELLANT: MICHAEL PLESCHÉ  
 Address: 322 HIGHLAND AVE. ROCHESTER MI 48307  
 Phone: 415.336.9609 E-MAIL: MJPLESCHÉ@OUTLOOK.COM  
 OWNER: MICHAEL PLESCHÉ  
 Address: 322 HIGHLAND AVE. ROCHESTER MI 48307  
 Phone: 415.336.9609 E-MAIL: MJPLESCHÉ@OUTLOOK.COM

**DEADLINES:**

- The completed Application for Hearing must be received by the City Clerk no later than **Noon, three (3) weeks prior** to the next regular meeting of the Zoning Board of Appeals.
  - If the time limit is met, the City will make a reasonable effort to schedule consideration of said plan during the next regular meeting of the Zoning Board of Appeals.
  - Submittals received after the cut-off time will be placed on the agenda of the subsequent meeting.
- Note: The Zoning Board of Appeals normally meets the fourth Wednesday of each month at 7:00 P.M. in the Municipal Building, 400 Sixth Street. Please check the City website for the date of each meeting.*

**REQUIREMENTS:**

- Provide all required **documentation and check** to the City Clerk.
- Provide **DIGITAL & 10 COPIES of the blueprint** drawings of the site plan (pre-folded to 1/4 size with the blueprint seal on the outside).
- Provide **DIGITAL & 10 COPIES of the completed Application**.
- Provide **DIGITAL & 10 COPIES of correspondence and any written documents**.
- Provide a check payable to the **City of Rochester** in the amount of **\$500.00**.
- Provide **DIGITAL blueprints, application, correspondence and any written documents** to the City Manager's Office at [citymanager@rochestermi.org](mailto:citymanager@rochestermi.org).

**APPEARANCE IS REQUIRED:**

**APPLICANT OR A REPRESENTATIVE FOR THE APPLICANT MUST ATTEND THE ZONING BOARD OF APPEALS MEETING IN ORDER TO ANSWER ANY QUESTIONS BY THE ZBA MEMBERS.**



#7581384

RECEIPTS

CITY OF ROCHESTER CASH

FOR DEPOSIT ONLY

CHASE BANK

PAY TO THE ORDER OF



FAILURE OF THE APPLICANT OR APPLICANT REPRESENTATIVE TO ATTEND THE ZONING BOARD OF APPEALS MEETING MAY RESULT IN TABLING CONSIDERATION OF THE APPEAL OR DENIAL OF THE APPEAL.

Complete the appropriate section below. Additional information is to be supplied on separate sheets if the space provided on this form is inadequate. Attach plans, drawn to scale, showing shape and dimension of lots, buildings and lines of proposed building to be erected, altered or changed, also indicating setbacks, relationship to neighborhood lots and other pertinent information.

**SECTION 1. Interpretation or Administrative Review**

The appellant respectfully requests that an interpretation be made by the Board of Appeals of Article III C, Section M/C 2021, of the City Zoning Ordinance.

An appeal is requested for a review of a determination made by the Zoning Ordinance enforcing officer. (See Section 3002a)

LOT COVERAGE - 0.9% over 30% + 30.9%

An appeal is made for an interpretation of the Zoning Map as follows. (Article 1, Section 100)

\_\_\_\_\_  
\_\_\_\_\_

An interpretation of the Zoning map is requested for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

**SECTION 2. Variance** (A variance is for a structure otherwise prohibited by the ordinance and can be granted only in showing an undue hardship or practical difficulty. See Article 30, Section 3001b.)

The appellant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of his property because the following peculiar or unusual conditions are present which justify a variance:

Porch is inhabitable space and keeps the home within the community aesthetic.

The following unnecessary hardship will result if the variance is not granted:

\_\_\_\_\_  
\_\_\_\_\_

By signing this application, the undersigned hereby grants full authority to the City of Rochester, its agents, employees, representatives and/or appointees to enter upon the undersigned lands and properties for the purpose of inspection and examination incidental hereto.



Signature of Owner: MJPlesche

MJPLESCHÉ  
(Print Name)

Date: 5/5/25

Signature of Applicant (if not Owner): \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Date: \_\_\_\_\_

**REVIEWED AND CONFIRMED VARIANCE IS NEEDED:**

\_\_\_\_\_  
**CITY OF ROCHESTER CODE INSPECTOR**

Date: \_\_\_\_\_





## City of Rochester

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4/10/2025

Michael J. Plesche  
322 Highland  
Rochester, MI 48307

RE: 322 Highland

The plans you submitted for the above referenced project have been reviewed for compliance with the MRC/MBC 2021 and the City of Rochester Zoning Ordinance. The following items were found to be deficient in the drawings and need to be provided to our office.

- I. Porch addition exceeds the allowable lot coverage by 30% by .09%.

Please feel free to contact me at (248) 606-5238 with any questions.

Thank you,

Randy McClure  
City of Rochester  
Building Official





## City of Rochester

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June 17, 2025

TO: Zoning Board of Appeals

RE: Staff Report - ZBA Case 313 South Street

Mr. Paul Carthew, representing the owners, Carthew Properties Rochester LLC, are seeking 4 variances in order to add two additions to an existing non-conforming building located at 313 South Street. The property is located on the north side of South Street adjacent to the Clinton River, Sidwell Parcel 15-14-153-016, zoned I-2, Industrial 2. The 4 specific variances being sought are as follows:

A variance to the required front yard setback (25 feet required, 4.58 feet proposed), a variance to the required side yard setback (15 feet required, 0 feet proposed), a variance to Section 403(1) of the Zoning Ordinance which regulates the expansion of non-conforming structures and a variance for providing a 30-foot stabilizing zone above the floodplain (already an existing condition).

With regard to the existing land use, the property is presently occupied by a non-conforming industrial complex that is on an irregularly shaped parcel of land and 1-story in height. It has multiple non-conforming issues that are identified in the applicant's application, drawings and informational letter. The petitioner has submitted their plans to our City Planner for review in preparation for submitting to the Planning Commission for consideration, but she felt that in this case, due to all the variances that are necessary, that the applicant should go to the Zoning Board of Appeals for a decision prior to going to the PC as if the ZBA does not grant the variances being sought, it would not be able to proceed to the PC for review.

1. The site contains 0.22 acres of land, with a frontage of 54.66 feet along South Street but narrows to 40.61 feet wide along the northerly border which is in the Clinton River Waterway and has a varying depth of approximately 217.25 feet.
2. The petitioner points out in their correspondence the challenges of the site and what they are proposing to do to the site to make it more versatile, productive and useful within the South Street Corridor.
3. They are proposing a second-floor office expansion on the front portion of the building which does not increase the footprint of the existing first floor structure and is seeking to add a 1-story addition in the rear which would expand the footprint. They have provided sufficient parking on the site to meet the parking spaces required in the Zoning Ordinance. There is no maximum lot coverage within the I-2 Zoning Classification.

4. There is a mixture of 1 and 2-story buildings along South Street, so the request would not be setting a precedent as far as building height goes and the I-2 District does allow for buildings up to 75 feet in height.
5. As far as the request regarding the required stabilization zone, the existing Floodplain elevations were established after the non-conforming building was built.
6. The proposed new zoning classification of RTECH (Research Tech) is encouraging the building of small mixed-use commercial campuses which this request would comply with as it has integrated a second-floor office use with the first-floor warehousing opportunities.

Staff recommends **approval** all four requests for the following reasons:

1. The existing site is developed on a difficultly shaped parcel and has a series of non-conformities on it that were not generated by the petitioner. It certainly could continue in its present configuration but the proposed new Zoning Classification of RTECH is encouraging properties such as this to create a more viable setting within this area. The introduction of dedicated office space and an expansion to the 1st floor warehousing will meet those needs in the eyes of staff.
2. If approved, the petitioner would have to seek site plan approval from the City's Planning Commission who will evaluate the request against the standards set forth in the present I-2 Zoning Classification while keeping in mind the proposed RTECH District in their deliberations.
3. Your approval of the variances being sought by the petitioner could be based on items E, G, J, K, L and M from your ZBA Variance Checklist.

Sincerely,

*Nik Banda*

Nik Banda  
City Manager



May 1, 2025

PAID

MAY - 6 2025

CITY OF ROCHESTER

City of Rochester  
Zoning Board of Appeals  
400 Sixth St.  
Rochester, MI 48307

Dear ZBA Members:

RE: SUPPLEMENTAL LETTER FOR 313 SOUTH STREET VARIANCE REQUEST

Designhaus Architecture whose address is 3300 Auburn Rd. Suite 300, Auburn Hills, MI 48326 has been retained to pursue all planning and building matters for Carthew Properties Rochester, LLC, owner of 313 South St. currently under ZBA review. It is the owner's intent to update, improve, and expand the existing building to achieve the maximum possible warehouse and office space to provide value to the building and attract larger tenants. In doing so, several issues have arisen due to the existing building placement. Proposed are a 600 sf second story office addition over existing office area and a 503 sf warehouse addition at the rear. Parking has been provided for the new building areas. The South Street corridor consists mostly of commercial and industrial buildings in various and differing physical conditions. The following issues needing ZBA approval are:

**Section 403(1) - Non-Conforming Structures**

1. Front Setback – Required: 25', existing: 4.58', proposed: no change, requested relief: 20.42'
2. Side Setback – Required: 15', proposed: no change, requested relief: 15.00'
3. Non-conforming expansion of section 403(1).

**Section 2805 - Landscape Stabilization Zones**

1. Requesting waiver for providing 30' zone above floodplain due to entire property being located within flood zone. It is not possible to provide it due to existing site conditions.

Due to the existing circumstances prohibiting any building additions, we feel the justification of the following six items that would result in practical difficulties.





- 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to the other lands, structures, or buildings in the district.**

The existing structure is situated and located in such a way that any conforming additions otherwise would be non-compliant. Others in the district who have conforming structures otherwise would be able to make such building additions for maximum floor area if desired

- 2. The literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of the ordinance.**

The site cannot be improved upon due to the existing building placement and flood elevation factors beyond the owner's control. The literal interpretation of the 4 variance requests would deprive the owner of building expansion when compared to others in the district regardless of building placement or flood plain elevations. Building expansion would encourage building improvement, best site use and improvement of the overall physical condition of the property and location.

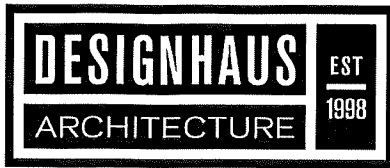
- 3. The special conditions and circumstances do not result from the actions of the applicant.**

The building location and allowable footprint are not changing, and the floodplain was established after building construction. Such circumstances exist prior to the current requested modifications.

- 4. The request relates to only the property that is under the control of the applicant.**

The applicant is the sole owner of the property.





5. The application states the owner's full name and address if the owner is not the applicant.

The owners' full name and business entity is provided with signatures.

6. That an application for the same variances has not been submitted within the past 12 months unless the applicant can show there has been a change in the existing conditions.

No application has been submitted for the past 12 months for such a request.

Please review the materials submitted. As requested, we will be in attendance to explain the requests further.

Regards,

A handwritten signature in black ink, appearing to read "Peter Stuhldreier", with a long horizontal flourish extending to the right.

Peter Stuhldreier  
Chief Architect

Enclosures:  
Variance Plan  
ZBA Application for Hearing  
Check

cc: Carthew Properties Rochester, LLC



**South Street Associates**

*321 South Street  
Rochester, MI 48307*

May 13, 2025

City of Rochester  
400 Sixth Street  
Rochester, MI 48307

Dear City of Rochester,

As a neighboring property owner and representative of South Street Associates, I am writing to express our full support for the proposed development at 313 South Street in Rochester.

We are encouraged by the direction this development is taking and confident in its positive impact on nearby properties, including our own at 321 South Street. Please consider this letter a formal expression of our support, and do not hesitate to reach out if we can assist in any way as the project moves forward.

Sincerely,

**Thomas Kemp**

Principal

South Street Associates



**Michigan Technical Development LLC**

361 South Street  
Rochester, MI 48307  
(810) 343-1361

May 13, 2025

City of Rochester  
400 Sixth Street  
Rochester, MI 48307

Dear City of Rochester,

As the owner of Michigan Technical Development LLC and a neighboring property owner, I am writing to express our full and enthusiastic support for the proposed development at 313 South Street in Rochester.

After reviewing the plans and overall concept, we are impressed by the thoughtful design and clear vision reflected in the proposal. We believe this development will be a meaningful addition to the area.

Sincerely,

**Thomas Kemp**

Owner

Michigan Technical Development LLC





