



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 733-3700
F: (248) 733-3170
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

Alternate: Sara King & Jay Huh

| | | |
|------------------|-------------------|--------|
| 400 Sixth Street | February 25, 2026 | 7:00pm |
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1. Call to Order
2. Roll Call
3. Approval Of the Minutes
 - A. Consideration of the Minutes of June 25, 2025.
4. Considerations
 - A. Consideration of 139 Romeo: Seeking a Waiver of Section 2005. – B-1 (b).
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

REGULAR MEETING
June 25th, 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, Ray Thietten, Jay Huh

ABSENT: Denis Fleming, David Gassen, Cody Smith

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

3. MINUTES

Regular Meeting Minutes of the meeting held May 28, 2025.

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

VOTE: YES: Thomas, Thietten, Huh

NO: None.

Motion Carried.

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

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

Mr. Banda outlines the history of cases similar to this ask. The history of the Board said they would not support any lot coverage requests unless there is a justified hardship, not a self-imposed hardship. The rest of the neighborhood all have front porches and this ask is to have the house

blend in with the rest of the neighborhood. On the drawings there is a side covered entry that was noted in the plans that looked to be an extension so that does not add on to the existing coverage. This case is purely based on the front porch.

Mr. Banda recommended denial because it is seen as a self-imposed hardship. The City appreciates that front porches are part of our make-up, but this home was recently improved by the previous owner that took advantage of using the entire allowable lot coverage square footage without adding the porch. To now ask for a variance is basically skirting the Ordinance. It is noted that the petitioner is not the one that added the previous addition onto the home. It now becomes a case of a self-imposed hardship.

The Board asked if it is possible the Planning Commission revisits this ordinance to change the calculation based on covered porches, allowing porches with no enclosed space to be exempt from the lot coverage calculation. Mr. Banda indicates it would be appropriate for the Board to refer this matter to the PC and offer the petitioner the right to table his case until that process plays itself out.

Michael Plesche of 322 Highland speaks on his purchasing of the house and the plans. He bought the house in 2016 after it had just been renovated. He was the first owner of the newly renovated home. He wanted a front porch but did not have that option based on the build. He did not recognize he was already at 30% lot coverage and has been working with Oak Street Design to see what his options are. He would like to match the rest of the area and is looking to extend his 6x6 entry to a full porch which would put him at 30.9%.

Mr. Huh asks for clarification on the math of the lot coverage.

Mr. Thomas gives his thoughts as to him preferring this ask be pushed back and wait for the Planning Commission to deliberate on potential lot coverage changes pertaining to front porches specifically. He would like to hold off on voting on it. He has denied several cases asking for variances that are exceeding the maximum lot coverage allotted and would prefer direction from the Planning Commission since this issue is coming up.

Mr. Banda agrees that this case could serve as a relevant example for the Planning Commission.

Mr. Huh and Mr. Thietten agree with this assessment.

Mr. Plesche says he understands the logic of the Board.

MOTION: Mr. Thietten makes a motion to table the variance ask. Seconded by Huh.

VOTE: YES: Thomas, Thietten, Huh.

NO: None.

Motion Carried.

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).

- SIDWELL NO: 15-14-153-016
- LOCATION: 313 South Street

Mr. Thomas outlines the details of the variances.

Mr. Banda gives the history of the ask. The applicant submitted plans to the Planning Commission and the City Planner recommended they go to the Zoning Board for the four waivers to be safe with the Planning Commission. The lot is a difficult lot to build on and they are looking to implement a new zoning classification: R-Tech to help facilitate building business campuses. They have been trying to clean up the area through code enforcement and the 313 South Street properties are trying to do that, hence the request for the waivers to improve the property. The City Administration feels they can back these asks and help clean up the property and area. The proposed plans are not touching certain aspects of the lot that would trigger other variance asks. Mr. Banda is recommending approval and this would make the property both more useful and more up to date.

Mr. Thomas asks to clarify this would not be setting precedent; Mr. Band confirms this.

Peter Stuhlreyer if Designhaus Architects, 3300 Auburn Road, Auburn Hills is representing the property owner. He tells the Board that most of the project is housekeeping regarding a mostly non-compliant site. This is the best option for the property without expanding non-conforming aspects of the building. Even with minimal changes they would still have to come before the Zoning Board given the history of the lot and existing footprint.

Mr. Banda confirms that the lot size does not meet minimum lot size requirements.

Mr. Thomas said there is a front addition with no issues, and a back addition with a side-yard setback that is expanding non-conformity.

Mr. Stuhlreyer said there is a lot of compliance going into this plan to clean up the site and getting the bathrooms up to code.

Mr. Thietten asks if there is enough parking.

Rochester Zoning Board of Appeals

June 25th, 2025

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Mr. Banda confirms there is enough parking.

Mr. Thomas asks if they are ripping out the parking lot and redoing it.

Mr. Stuhlreyer said their plan is to mill & fill.

Mr. Banda confirms that the Planning Commission will be reviewing the driveway widths and other site details as well.

Mr. Huh asks if anyone is using the building right now.

Mr. Stuhlreyer said the old tenant is closing out and most likely already gone. The new owner will become the new tenant.

Mr. Huh asks for clarification regarding the idea of self-created hardships, the previous case involved one as does this.

Mr. Banda said the first case involved lot coverage which the Board never passes, this request is not dealing with lot coverage.

Mr. Huh also asks about the neighbors. He saw the 2 letters of support but wants to know what 305 thinks about it. Mr. Stuhlreyer answers he saw the owner yesterday and heard no negative feedback.

Mr. Banda says this ask is difficult in that most of the surrounding properties are non-conforming and that the original concept of one buyer buying all the properties to create a campus like setting is just a very unlikely scenario, which is what a proposed R-Tech zoning would be ideal for. The applicants ask is going to be a mixed use with office as well.

Mr. Thietten asks if they approve the addition, would that be setting a precedent.

Mr. Thomas answers they have approved these in the past so this would not be setting any precedent. They have had similar cases.

There is discussion about splitting the variances into separate motions from the Board.

MOTION: Mr. Huh makes a motion to approve the front three variances for the front yard, side yard, and floodway based on items from the variance checklist E, G, K, L, M, support by Thietten.

VOTE: YES: Thomas, Thietten, Huh.

NO: None.

Motion Carried.

MOTION: Mr. Huh makes a motion to approve the back variance for the rear yard, based on items from the variance checklist E, G, J, K, L, M support by Thietten.

VOTE: YES: Thomas, Thietten, Huh.

NO: None.

Motion Carried.

7. MISCELLANEOUS

Mr. Peckens compiles the asks the Board would like to be taken to the Planning Commission for review: covered porches not counting against lot coverage maximums; raising the permitted structure height in residential districts from 25' to 30'; and address the prohibition of the side entry garages banned from the front yard areas and the grading reference that affects their ability to build such garages in the rear yards without seeking a variance, possibly stating there should be a 1 story grade change from front to rear property exemption.

Mr. D'Annunzio reminds the Board there will be officer elections next meeting.

8. ADJOURN

Thomas adjourns at 8:00 p.m.

Respectfully submitted,

Brian D'Annunzio, Deputy City Clerk



City of Rochester

400 Sixth Street
Rochester, MI 48307
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www.rochestermi.org

February 11, 2026

TO: Zoning Board of Appeals

RE: Staff Report - ZBA Case 139 Romeo Road

Mr. Kevin Rosenbergs of Stucky Vitale Architects, representing Mr. Joe Iacopelli, the owner of 139 Romeo Road, is seeking a waiver of the City's Zoning Ordinance in order to construct a new mixed-use building on the site. The site would be home to a two-story building with 2 residential units on the second floor and an unidentified retailer on the first floor. The proposed project was approved by the City Planning Commission conditioned on the approval of the waiver being sought to create one ADA compliant parking space within the required front yard setback. The property currently is vacant and was the former home of the Village Lamp Shop. The property is located on the north side of Romeo between S. Main and High Street, zoned B-1, (General Business). The specific waiver being sought is as follows:

- **A waiver of Section 2005. – B-1 (b);** which states that a portion of the front yard between the building and the front lot line shall not be used for vehicle parking and shall be mainly devoted to landscaped open space and pedestrian access; within the B-1, (General Business) zoning classification.

With regard to the existing land use, the site is currently vacant pending construction of the new two-story mixed use building conditionally approved by the Planning Commission.

1. The site contains 0.285 acres of land, with a frontage of 70 feet along Romeo Road and has a varied depth of 266.66 feet. It is an extremely challengingly shaped lot which renders the northern portion of the site unable to be used for anything but a landscape buffer.
2. The Planning Commission approved the site plan conditionally due to the fact that the only way to provide an ADA compliant handicapped parking space at grade would be to construct it in the front yard setback along the Romeo Road frontage, which is prohibited by the Zoning Ordinance.
3. The previous business, (the Village Lamp Shop), had a grand-fathered in Hcp. parking space in the front yard for decades. In order to use one of the designated parking spots on the side or rear of the building for a barrier free space, the route to traverse to the at grade entrance

to the new building would require the user to navigate down the driveway to get to the front of the building, a major safety issue.

4. The purpose of not allowing the front yard setback area for parking was to promote landscaping along the adjacent thoroughfare. In this case, even if a portion of the front yard is permitted for the Hcp. space, they still have provided a Landscape area between the Public sidewalk and their front of the building along the eastern portion of the front yard area.

Staff recommends **approval** of the waiver as requested for the following reasons:

1. The configuration of the existing site, along with its grade change to the rear of the proposed building, does not allow for the rear portion of the site to be used for parking that would comply with the ADA requirements that would allow for proper access to the main entrance of the building.
2. There has been a non-compliant, grandfathered in Hcp. Space in the front yard of the site for decades and they are not seeking to enlarge the area for a general parking space but are just proposing to keep the one required Hcp. space there and avoid a dangerous access route. If the space were to be located on the side or rear of the proposed building requiring the access route to use the two-way driveway along the western portion of the site adjacent to the building would create a dangerous situation and not meet the ADA requirements for building access.
3. Your approval of the waivers being sought by the petitioner could be based on items B, E, F, G, I, J, K, L M, and N from your ZBA Variance Checklist.

Sincerely,

Nik Banda

Nik Banda
City Manager & Economic Development Director



City of Rochester

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www.rochestermi.org

ZONING BOARD OF APPEALS APPLICATION FOR HEARING

Date Filed: January 30, 2026 Amount of Fee Paid: \$ 500.00

Location of Property: 139 Romeo Road, Rochester, MI 48307

APPELLANT: Stucky Vitale Architects (attn: Kevin Rosenberg)

Address: 27172 Woodward Ave, Royal Oak, MI 48067

Phone: 248-546-6700 E-MAIL: krosenberg@jscottarchitects.com

OWNER:
Joe Iacopelli

Address: 38329 Dodge Park Road, Sterling Heights, MI 48312

Phone: 586-822-2338 E-MAIL: iacopellijoe@yahoo.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.

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.

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 _____, Section _____, 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)

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:

Due to the unusual shape of the site, we are required to push all of our parking to the back of the building. We are requesting a variance to allow one ADA parking space in the front of the building within the front setback to provide an accessible entrance to the building.

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

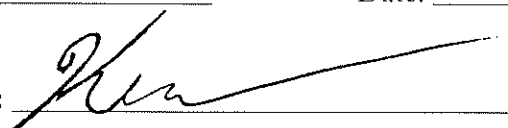
We will not be able to include an ADA parking space that provides direct access to the building's main entrance.

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: _____

(Print Name)

Date: _____

Signature of Applicant (if not Owner):  _____

Kevin Rosenberg

(Print Name)

Date: 01/30/2026

REVIEWED AND CONFIRMED VARIANCE IS NEEDED:

CITY OF ROCHESTER CODE INSPECTOR

Date: _____

