

DATE: March 29, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing
Commercial Vehicle Appeal
6771 Westaway

On February 22, 2005, information was sent to Henry Rowe that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the Ford cube van parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letters, Mr. Rowe has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of April 18, 2005.

Should you have any questions or require additional information, kindly advise.

Attachments

Prepared by: Mark Stimac, Director of Building and Zoning

COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

MAR 28 2005

BUILDING DEPARTMENT

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: HENRY ROWE

ADDRESS: 6771 WESTAWAY

CITY: TROY MI. ZIP: 48085 PHONE: 248-879-0989

ADDRESS OF SITE: THE SAME - 6771 WESTAWAY

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
1FDKE37M7LHA88244

LICENSE PLATE NUMBER(S) YNW 950

DESCRIPTION OF VEHICLE(S) REGISTERED AS VAN

REASON FOR APPEAL (see A - D below) B - C - D IF YOU WOULD LIKE IN THE SUMMER TIME IT COULD BE PARKED BETWEEN TREE AND GARAGE OFF DRIVEWAY

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Henry Rous
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

On this 22 day of March, 2005 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Carol Duvet
Notary Public, _____ County, Michigan

My Commission Expires: 12/31/2007

CRISTO RIVELLO
Notary Public, Macomb County, MI
My Commission Expires Dec. 31, 2007

Acting in Oakland
County

NORT.

EAST

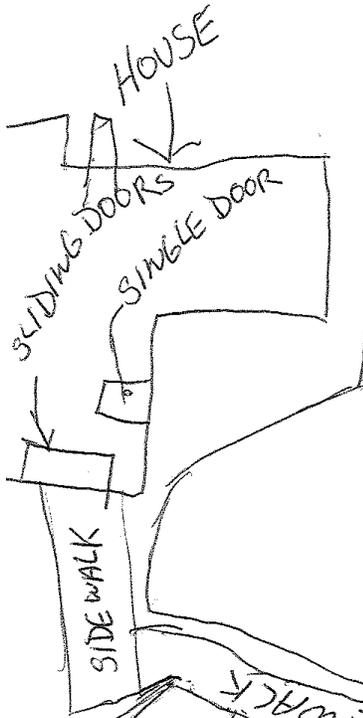
SOUTH

WESTAWAY STREET

RECEIVED

MAR 28 2005

BUILDING DEPARTMENT

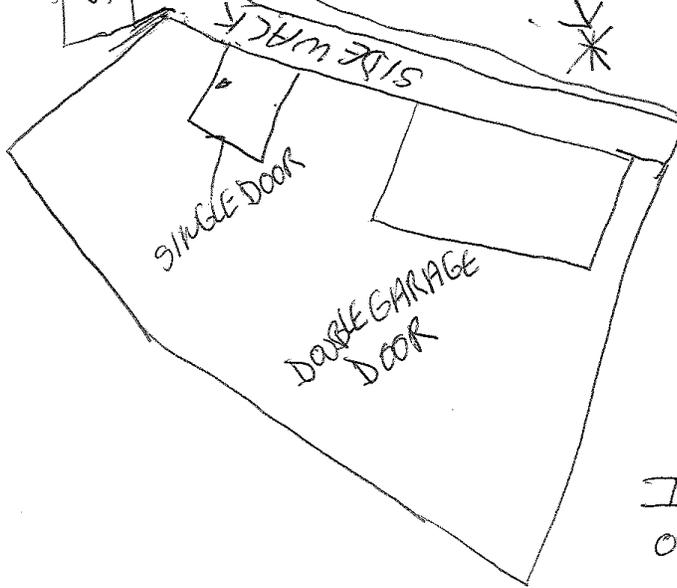


GRAVEL DRIVEWAY
 TRUCK IS PARKED
 HERE RIGHT NOW IN
 FRONT OF GARAGE DOOR

A hand-drawn sketch of a gravel driveway. An asterisk is drawn on the driveway, with an arrow pointing to it from the text 'TRUCK IS PARKED HERE RIGHT NOW IN FRONT OF GARAGE DOOR'.

LIGHT POLE

A hand-drawn sketch of a light pole. It is a vertical pole with a light fixture at the top. An arrow points to it from the text 'LIGHT POLE'.



TREE

A hand-drawn sketch of a tree. It is a simple drawing of a tree with a trunk and a canopy. An arrow points to it from the text 'TREE'.

TRUCK MAY
 BE PARKED
 HERE FOR THE
 SUMMER
 IF YOU WOULD
 LIKE THAT

A hand-drawn sketch of a rectangular area, possibly representing a parking spot. An arrow points to it from the text 'TRUCK MAY BE PARKED HERE FOR THE SUMMER IF YOU WOULD LIKE THAT'.

I MARKED IT ON ONE
 OF THE PICTURES

