

DATE: November 29, 2005

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item - Public Hearing
Commercial Vehicle Appeal
3539 Delaware

On November 16, 2005, Mr. Arun Sekheri inquired at the Building Department whether a certain commercial vehicle would be allowed to be parked outdoors on residential property. He was informed that the vehicle in question, a Ford van with a bucket lift attached to it, did not comply with the exceptions found in Chapter 39, Section 40.66.00.

In response to our decision, Mr. Sekheri 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 December 19, 2005.

The existing dwelling on the property has a total living area of 2,178 square feet. Based upon the provisions of Section 40.56.01, attached garages up to 1,633 square feet could be constructed. An attached garage, 440 square foot in area, already exists on the property. The lot in question is 90' wide and 150 feet deep. Based upon the requirements of Section 40.56.02 a detached accessory building of 720 square feet could be constructed.

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**

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

NAME: ARUN SEKHRI

ADDRESS: 3539 DELAWARE DR.

CITY: TROY MI. ZIP: 48084 PHONE: 248-808-3260

ADDRESS OF SITE: 3539 DELAWARE DR.

NUMBER OF VEHICLES: ONE

VEHICLE IDENTIFICATION NUMBER(S)
MDOT own or rented Truck. (Photo enclosed)

LICENSE PLATE NUMBER(S) Rental Van which will be replaced by new in 2006.

DESCRIPTION OF VEHICLE(S) ~~(Bucket) Truck (with special equipment)~~
Cargo-Style Van with bucket

REASON FOR APPEAL (see A - D below) Compelled by Michigan Dept. of Transport.
(MDOT) to perform my duty of Bridge Inspection and for
emergency response after office hours.

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..

Al [Signature] *Al [Signature]*

(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

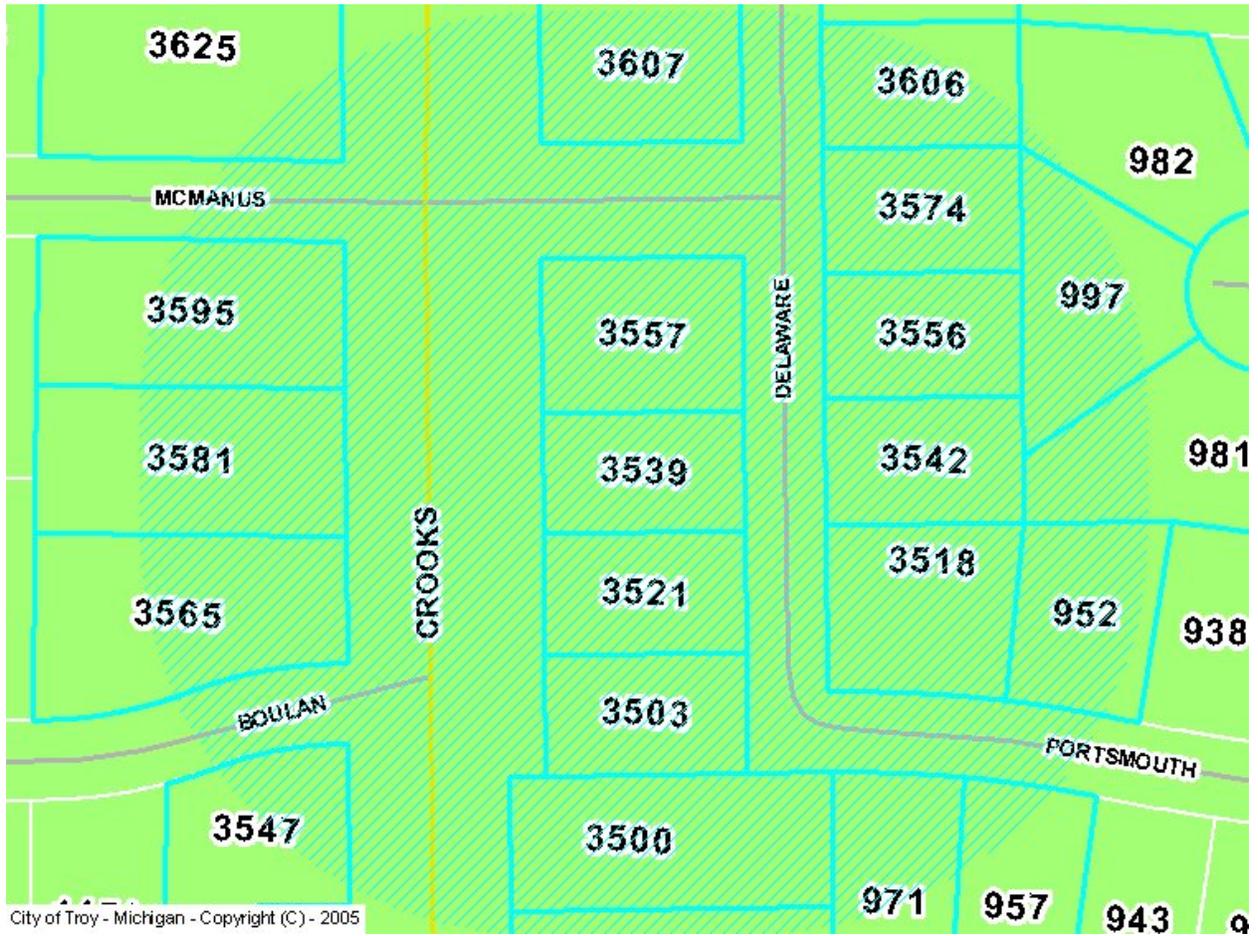
On this 16th day of November, 2005 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela Evans Oakland
Notary Public, County, Michigan

PAMELA EVANS
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Mar 23, 2007

My Commission Expires: March 25, 2008





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RECEIVED

DEC 09 2005

BUILDING DEPT.

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

This vehicle is Arun's work vehicle from MDot. By driving this vehicle home from his work, he is able to respond to MDot emergencies quickly during off-hours.

I absolutely support Arun's request to park this vehicle on his property

NAME: *Bette L. Evans*

ADDRESS OR PROPERTY DESCRIPTION *3521 Delaware, Traf, MI 48084*

RECEIVED

DEC 09 2005

BUILDING DEPT.

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

If you give it to one family then you
will get much more requests

NAME: George W. Millhol

ADDRESS OR PROPERTY DESCRIPTION 3503 Delaware

RECEIVED

DEC 12 2005

BUILDING DEPT.

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

THE VAN IS NOT NOTICEABLE PARKED
IN THE DRIVEWAY. MR. SEKHRI NEEDS IT
FOR HIS RESPONSE CAPABILITY.

NAME:

William J. Wilson

ADDRESS OR PROPERTY DESCRIPTION

3518 DEZANNE