DATE: March 21, 2006

TO: John M. Lamerato, Acting 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
5152 Prentis

On March 3, 2006, information was sent to Bujar Rexha that identified restrictions related to a commercial vehicle located on his residential property. As part of that information, he was advised that the Dodge 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 letter, Mr. Rxha 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 3, 2006.

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: BUJAR REXHA

ADDRESS: 5152 PRENTIS DR

CITY: TROY MI. ZIP: 48085 PHONE: 248 379 2362

ADDRESS OF SITE: SAME

NUMBER OF VEHICLES: 1 (ONE)

VEHICLE IDENTIFICATION NUMBER(S)
WD1PD6438455905 83

LICENSE PLATE NUMBER(S) ADS 9796

DESCRIPTION OF VEHICLE(S) RED & WHITE BOX-TRUCK
Dodge - SPRINTER

REASON FOR APPEAL (see A - D below) C+D

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..

Brian Rekka
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

On this 10th day of March, 20 06 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.

Patricia Kapolka Oakland
Notary Public, County, Michigan

PATRICIA KAPOLKA
Notary Public, State of Michigan, County of Oakland
My Commission Expires July 5, 2012
Acting in the County of Oakland

My Commission Expires: 07-05-2012

GEORGE JEROME & CO.

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FOUNDED 1828

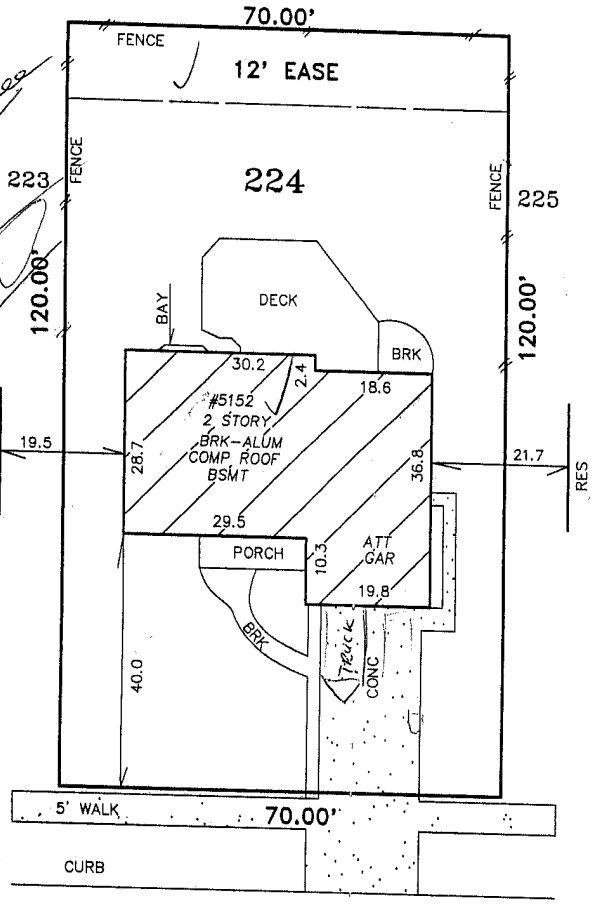
MORTGAGE REPORT for:

UNIVERSAL MORTGAGE CORPORATION

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS • 28304 HAYES • ROSEVILLE, MI 48066 • (586)774-3000

LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

Lot 224, "EAST LONG LAKE ESTATES SUB. NO. 2" part of the South 1/2 of Section 11, T.2 N., R.11 E., City of Troy, Oakland County, Michigan. Recorded in Liber 137 of Plats, Pages 23, 24 & 25 of Oakland County Records.



CERTIFICATE: We hereby certify to: UNIVERSAL MORTGAGE CORPORATION that we have inspected the above-described property in accordance with the description furnished and confirmed to be correct by mortgagee or mortgagee's title company for the purpose of a new mortgage loan to be made by BUJAR REXHA AND BORIANA REXHA mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. The location of fences, driveways, other buildings, and non-permanent structures shown are only approximate. Any easements shown are either recorded in the subdivision plat or appear in the instrument referenced in the title policy, if both have been furnished to us. This report does not locate or identify the existence or absence of utilities entering into or crossing above or below the property. This report is to be used for mortgage purposes only and not for the purpose of establishing property lines, nor for construction purposes. No property lines were established and no property corners were set. This is not an ALTA type survey. This cannot be used for future refinance purposes or transferred to any future property owners.

REVISED _____

DRAWN BY TML

SCALE 1"=20'

GEORGE G. JEROME
PROFESSIONAL LAND SURVEYOR
NO. 19837

DATED 12-09-04

JOB NO. 215855