

DATE: March 28, 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 - Public Hearing  
Commercial Vehicle Appeal  
3463 Crooks Road

On February 28, 2005, City Council approved a commercial vehicle appeal for one-year submitted by Mr. Timothy Clyne for appeal of the restrictions relating to the outdoor storage of a commercial vehicle on his residential property. That variance has now expired. In response to our correspondence regarding the matter, Mr. Clyne has submitted a new application for appeal. In particular he is appealing the restrictions in order to be permitted to park a GMC Cube van on his residential property at 3463 Crooks Road.

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.

This appeal is identical to the previous request with the exception that the petitioner is requesting additional approval to park the vehicle directly in front (south) of the existing detached garage. The previous appeal asked for approval to park the vehicle west of the driveway behind the boat.

The existing structures on the site include a 2,220 square foot main building and an approximately 2,500 square foot detached accessory building. The existing detached accessory building does have an overhead door that appears to allow for the parking of the vehicle within the existing building. With the existing buildings on the site, Section 40.57.04 of the Zoning Ordinance would prohibit additional detached buildings. Current setback and lot coverage limitations would allow additional attached garages as long as the total lot area covered by all buildings does not exceed 10,800 square feet.

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

#### Attachments

COMMERCIAL VEHICLE  
APPEAL APPLICATION

RECEIVED

MAR 13 2006

BUILDING DEPT.

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

NAME: TIMOTHY CLYNE

ADDRESS: 3463 CROOKS RD

CITY: TRAV MI. ZIP: 48084 PHONE: (248)6495232

ADDRESS OF SITE: SAME

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)  
\_\_\_\_\_

LICENSE PLATE NUMBER(S)  
\_\_\_\_\_

DESCRIPTION OF VEHICLE(S) CHEV Box VAN  
WHITE

REASON FOR APPEAL (see A - D below) PERSONAL PROPERTY  
AND USE IN MOVING THINGS FROM  
MY GARAGE

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..

*Inmate & Cheryl*  
(signature of applicant)

STATE OF MICHIGAN  
COUNTY OF OAKLAND

On this 13th day of March, 2006 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 R. PASTERNAK**  
Notary Public, State of Michigan, County of Macomb  
My Commission Expires September 1, 2007  
Acting in the County of Oakland

\_\_\_\_\_  
Notary Public, County, Michigan

My Commission Expires: \_\_\_\_\_

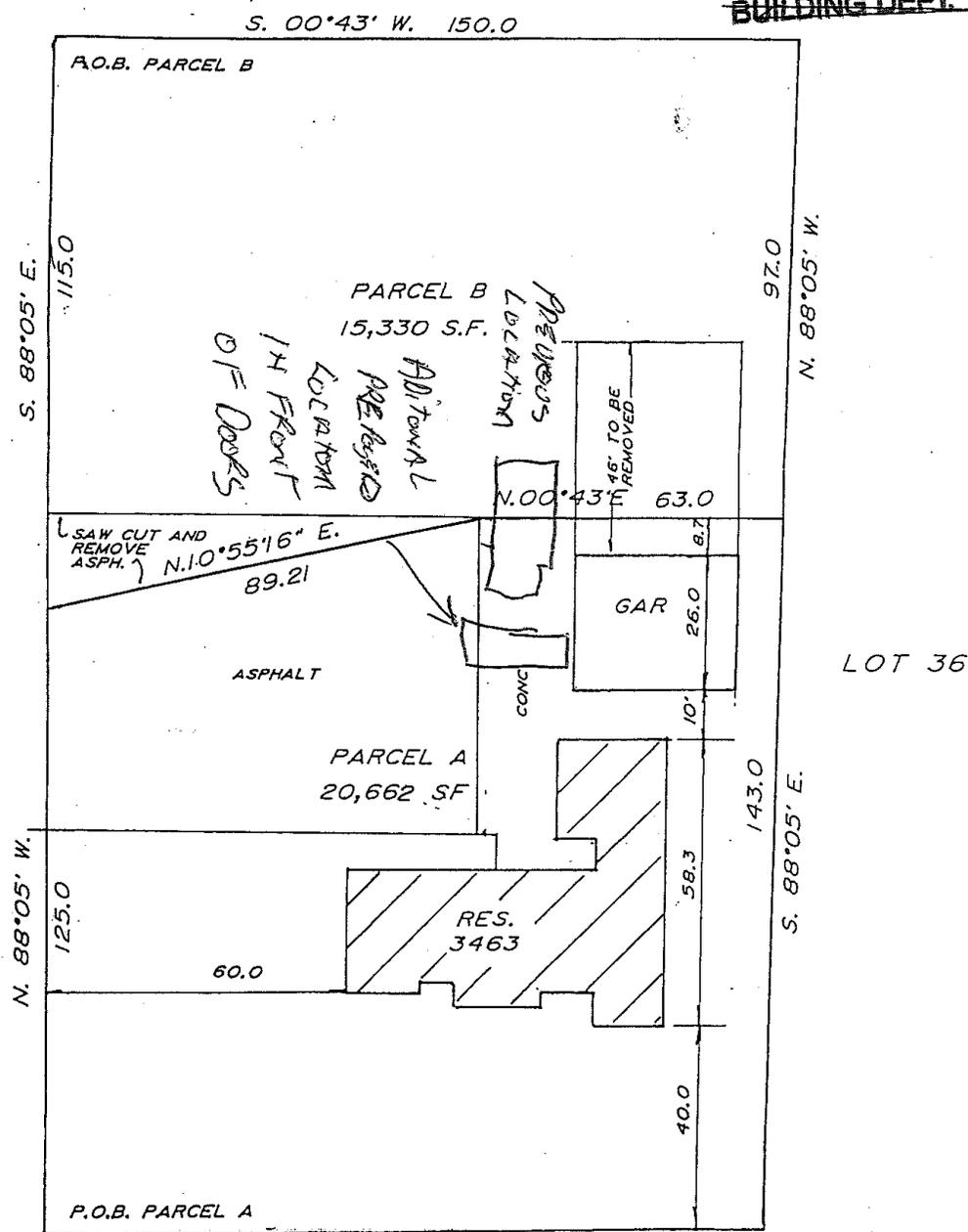
RECEIVED

MAR 13 2006

BUILDING DEPT.

REC'D BY 02/27/06

MUER RD. 60' WD.

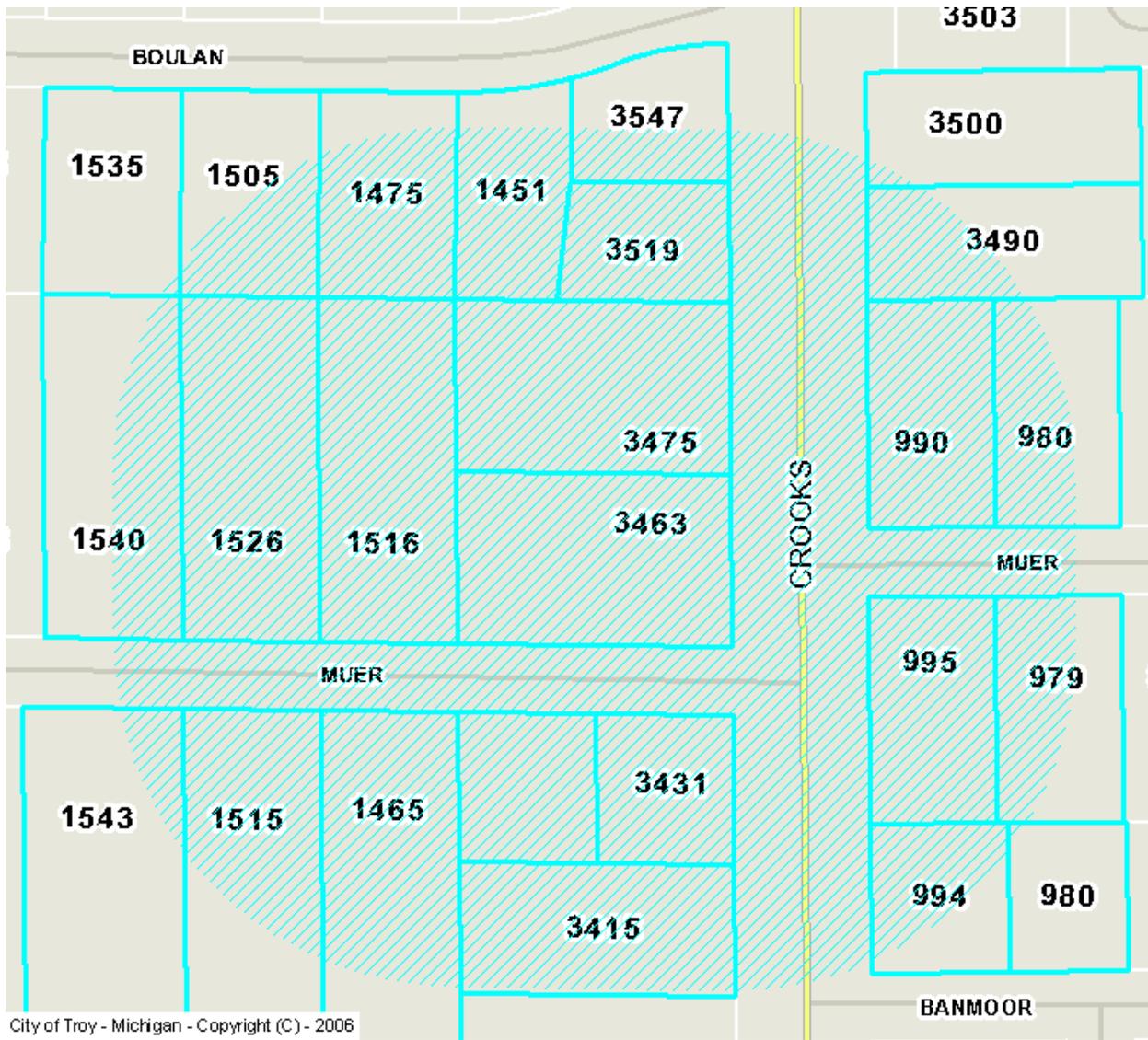


CROOKS RD. 120' WD.  
3463 CROOKS

**DEL-TEC**  
Surveying & Engineering  
5800 Twelve Mile Rd.  
Warren, MI 48092

JOB NO. 6975 SCALE 1" = 30'





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MAR 27 2006

BUILDING DEPT.

TO: CITY COUNCIL

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

My reason for this approval [ ] objection [X] is:

Attached

NAME: [Signature]

ADDRESS OR PROPERTY DESCRIPTION Neighbors on Mover

**RECEIVED**

MAR 27 2006

**BUILDING DEPT.**

Date: March 24, 2006

Re: 2463 Crooks

To: City Council

From: Neighbor on Muer

I am writing you in regards to the public hearing on Monday, April 3, 2006 at 7:30pm. While I can't be there in person, I would like to express my sincere views:

- The cube van is in plain sight of everyone who drives down Muer. I notice it almost every day. Muer is a nice comfy residential area and it should not be a place for commercial vehicles. If we extend his request, where do we stop? With the big lots in the area, every cube van owner in Troy would want to live here to park his work truck.
- If he chooses to keep his cube van at home, he should be forced to keep it in his oversized garage/barn even if that means modifying the entrance/height of the garage/barn. He should not have the benefit of keeping all of his other cars/items inside his garage just so he has to park his cube van outside. He could have just as easily bought a cube van than fit in this garage/barn versus the one he has.
- This neighbor has obviously no concern for appearance or his neighbors as he has a huge dilapidated boat parked next to his cube van that is even a bigger eyesore than the cube van. I have not seen the boat moved in over a year. I though there was a rule versus parking motor homes and boats in your driveway/yard on a permanent basis? If he at least had some concern for his neighbors and the appearance of his house, I would have supported his request to keep his cube van at his personal residence.