

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 - Announcement of Public Hearing
Commercial Vehicle Appeal
376 Colebrook

On March 13, 2006, information was sent to Mr. Lawrence Dalbec that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the Chevrolet 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. Dalbec 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 17, 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: LAWRENCE DALBEC

ADDRESS: 376 COLEBROOK

CITY: TROY MI. ZIP: 48083 PHONE: 248-528-1078

ADDRESS OF SITE: 376 COLEBROOK CELL 248 310-3090

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
1GBHG31K5RF130919

LICENSE PLATE NUMBER(S) C 6112R

DESCRIPTION OF VEHICLE(S) CUBE VAN

RECEIVED

MAR 22 2009

BUILDING DEPT.

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

I'VE HAD A CUBE VAN PARKED HERE SINCE THE 1980'S

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

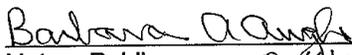
40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

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..


(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

On this 22 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.


Notary Public, Oakland County, Michigan

My Commission Expires: 8-25-2008

BARBARA A. AUGHE
Notary Public, Oakland County, MI
My Commission Expires Aug. 25, 2008

376
COLEBROOK AVENUE
100.0'

LAWRENCE DALBE

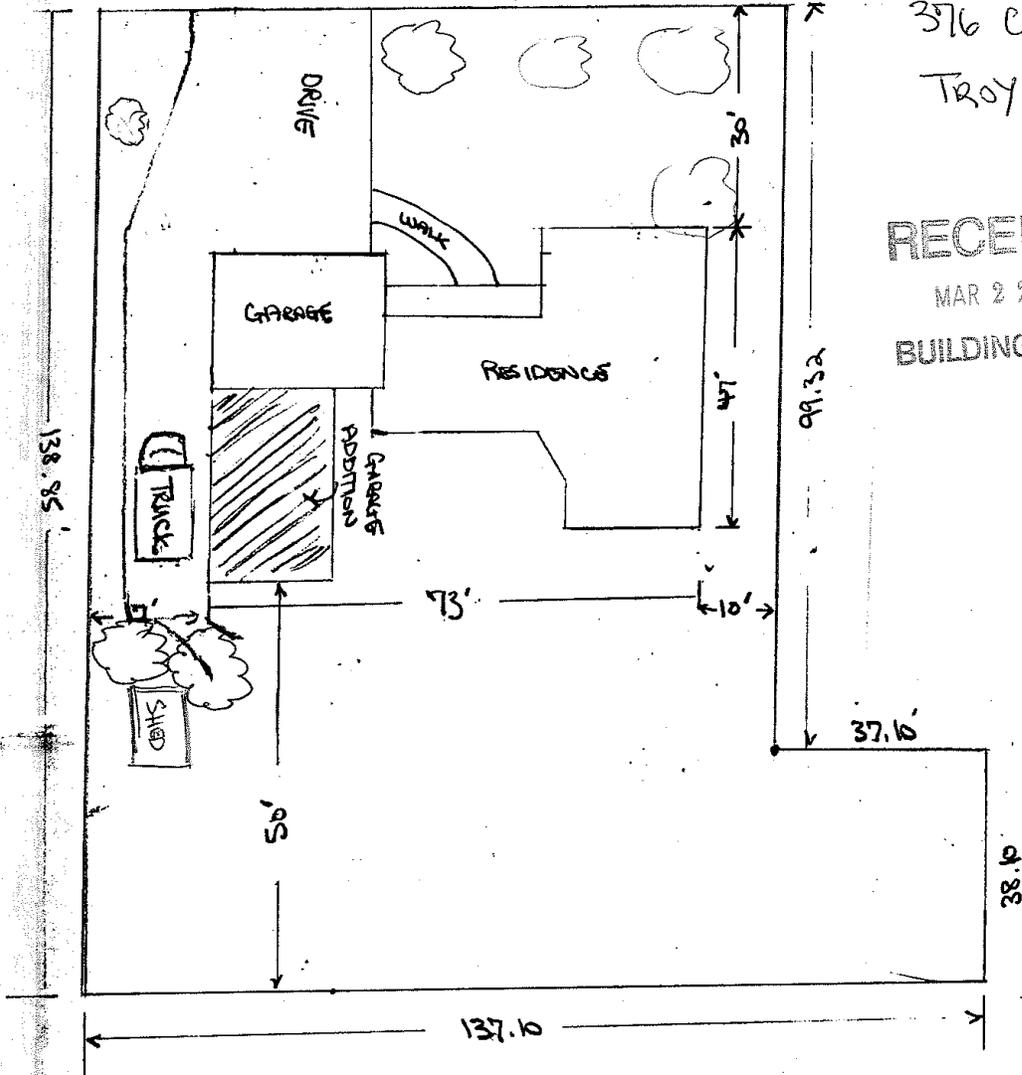
376 COLEBROOK

TROY, MI 48068

RECEIVED

MAR 22 2006

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PLOT PLAN

LOT 40 CLOUDSDALE FARMS LIBER 33 PAGE 13 O.C.R.
AND THE EAST 1/2 OF LOT 3 EXCEPT THE SOUTH 150'
AND THE WEST 1/2 OF LOT 3, E 37.10 FT. OF THE
N 39.50 FT PARCEL B SUPERVISOR PLAT NO. 6"
LIBER 45, PAGE 23 O.C.R.



Looking South



Looking East



Looking West