

DATE: May 30, 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, Renewal
6881 Westaway

On May 16, 2005, City Council approved an appeal for one year for the outdoor storage of a commercial vehicle on the residential property at 6881 Westaway. That approval will soon expire. We have contacted the owner and he was given the option to remove the vehicle or appeal to City Council for renewal of the relief of the Ordinance.

In response to our contact, Mr. Ermie 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 June 5, 2006.

The petitioner's property is relatively large, being 167' wide by 310' deep. However, the existing house on the property has only a 699 square foot ground floor area and there is already a 550 square foot detached garage. Only 149 square feet of detached accessory building can be added to the site per the requirements of Section 40.57.04. The petitioner has a permit, and is in the process of expanding the home. At this time the home is vacant. As part of the current work, the existing detached garage is to be removed. Once that addition is complete there will be 1,714 square feet to the first floor of the home. Once complete, a 1,485 square foot detached garage could be constructed as well as a 1,285 square foot attached garage.

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
MAY 03 2006
RECEIVED
BUILDING DEPT. APR 21 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: ADRIAN EREMIE

ADDRESS: 6881 WESTAWAY 548-6099

CITY: Troy MI. ZIP: 48065 PHONE: (313) 598-6089

ADDRESS OF SITE: 6881 WESTAWAY.

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)

LICENSE PLATE NUMBER(S) 4087 MS

DESCRIPTION OF VEHICLE(S) 3500 CHEVY STAKE TRUCK

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

APPLICANT'S AFFIDAVIT
I hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief.

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..

Adrian Enrie
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

On this 3rd day of May, 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.

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: 7-5-2012

GEORGE JEROME & C

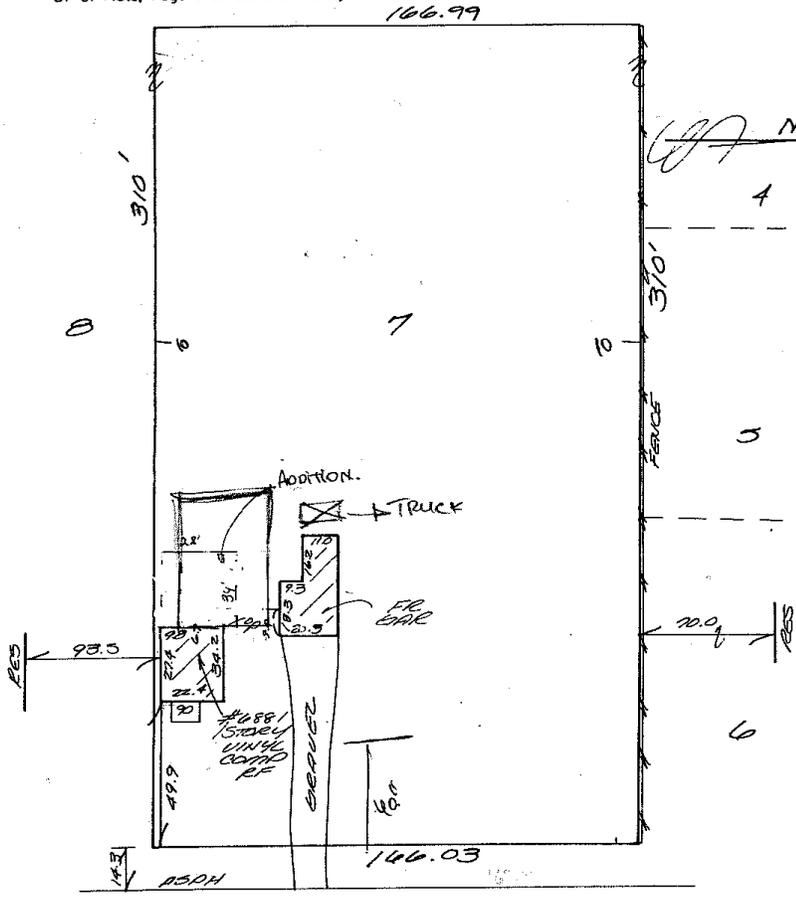


MORTGAGE REPORT for:

ST. JAMES MORTGAGE

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS • 28304 HAYES • ROSEVILLE, MI 48066 • (586)774-3000
LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

Lot 7, "BASSETT & SMITH FLOWING SPRING ACRES", a subdivision of part of the N. 1/2 of Section 3, T.2 N., R.11 E., Troy Township (now City of Troy), Oakland County, Michigan. Recorded in Liber 37 of Plats, Page 9 of Oakland County Records.



WESTAWAY AVE. 50' W.O.

CERTIFICATE: We hereby certify to: ST. JAMES MORTGAGE
mortgagee that we have surveyed 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, ADRIAN EREANE

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; and that we examined the Flood Hazard Boundary Maps (Community I.D. NO. 260180-0002D Effective Date JANUARY 16, 1987) prepared in accordance with the National Flood Insurance Program of 1968 as revised and that the property as shown above, description furnished by you, is located INSIDE ZONE C of a designated flood area as shown on said map. 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 survey 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 owner.

REVISED _____
DRAWN BY TZ
SCALE 1" = 40'

GEORGE G. JEROME
PROFESSIONAL LAND SURVEYOR
NO. 19837

DATED 02-18-03
JOB NO. 194249

