

DATE: June 26, 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
2127 Atlas

On May 19, 2006, information was sent that identified restrictions related to a commercial vehicle located on residential property. As part of that information, the owner of the vehicle was advised that the GMC 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. Kevin Ferguson 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 July 10, 2006.

The property in question is 8,080 square feet in area and contains an existing 1,077 square foot ranch home with a 440 square foot detached garage. The zoning ordinance would permit up to 808 square feet of attached garage and up to 612 square feet of detached garage to be built on the site.

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

Attachments

Prepared by: Mark Stimac, Director of Building and Zoning

RECEIVED

JUN 01 2006

COMMERCIAL VEHICLE
APPEAL APPLICATION

BUILDING DEPT.

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

NAME: Kevin Ferguson

ADDRESS: 2127 Atlas Drive

CITY: Troy MI. ZIP: 48083 PHONE: 586-864-7451

ADDRESS OF SITE: Same

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
26DJ632U632225095

LICENSE PLATE NUMBER(S) 6724 LS

DESCRIPTION OF VEHICLE(S) Cube van

REASON FOR APPEAL (see A - D below) D

VERIFIED
BY THE CITY CLERK
ON 06/01/06

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..

Kevin Ferguson

(signature of applicant)

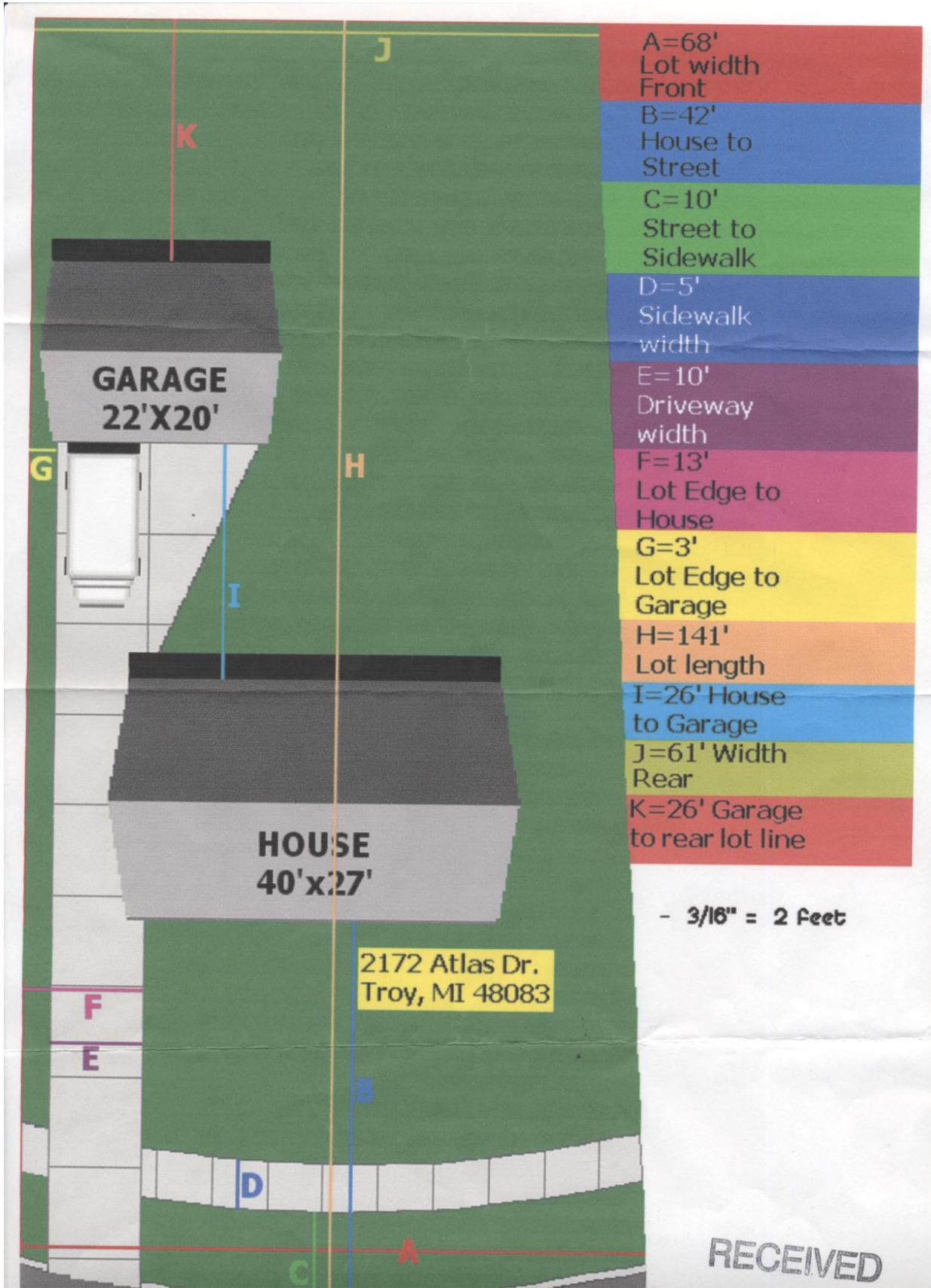
STATE OF MICHIGAN
COUNTY OF Waive

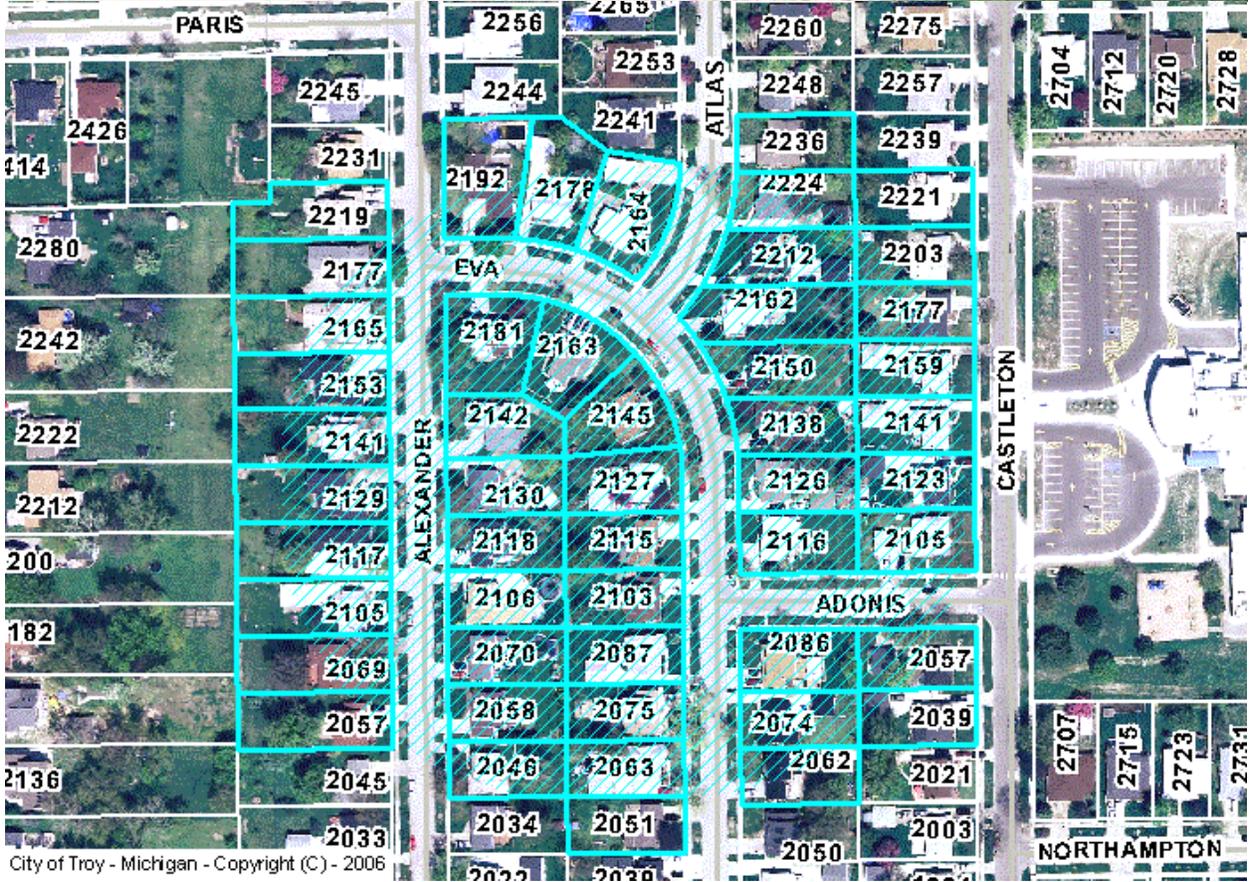
On this 26 day of May, 2006 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Deanna Irej _____ Waive
Notary Public, County, Michigan

DEANNA IREJ
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Nov 25, 2008

My Commission Expires: 11-25-08





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