

DATE: August 14, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Announcement of Public Hearing  
Request for Commercial Vehicle Appeal  
3911 Kingspoint

On June 11, 2001, follow up information was sent to Mr. Bruce Simpson that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van parked on that 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. Simpson 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 September 17, 2001.

A copy of the application and photo is attached for your reference.

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



DATE: August 14, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Announcement of Public Hearing  
Request for Commercial Vehicle Appeal  
6704 Livernois

On April 26, 2001, follow up information was sent to Mr. Michael Brennan that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van and Isuzu cube van parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Simpson 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 September 17, 2001.

A copy of the application and photo is attached for your reference.

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

COMMERCIAL VEHICLE  
APPEAL APPLICATION

RECEIVED

JUL 26 2001

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

BUILDING  
DEPARTMENT

NAME: MICHAEL J. BRENNAN

ADDRESS: 6704 LIVERNOIS RD.

CITY: TROY MI. ZIP: 48098 PHONE: 248.813.0398

ADDRESS OF SITE: 6704 LIVERNOIS RD. TROY, MI. 48098

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S) JALB4B1KOT7001135-1996  
J8BC4B1K6P7007444-1993

LICENSE PLATE NUMBER(S) 0239 HU-1996  
BRENNAN 1993

DESCRIPTION OF VEHICLE(S) WHITE CHEVY-1993, WHITE ISUZU-1996

REASON FOR APPEAL (see A - D below) PLEASE SEE ATTACHED . PICTURES WILL BE PROVIDED

ON THE DAY OF THE APPEAL.

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).

RECEIVED

-2

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..

*Michael J. ...*  
(signature of applicant)

STATE OF MICHIGAN

COUNTY OF OAKLAND

On this 18th day of MAY, 2001 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.

*Ramela B. Pasternak* *Macomb*  
Notary Public, County, Michigan *acting in Oakland*

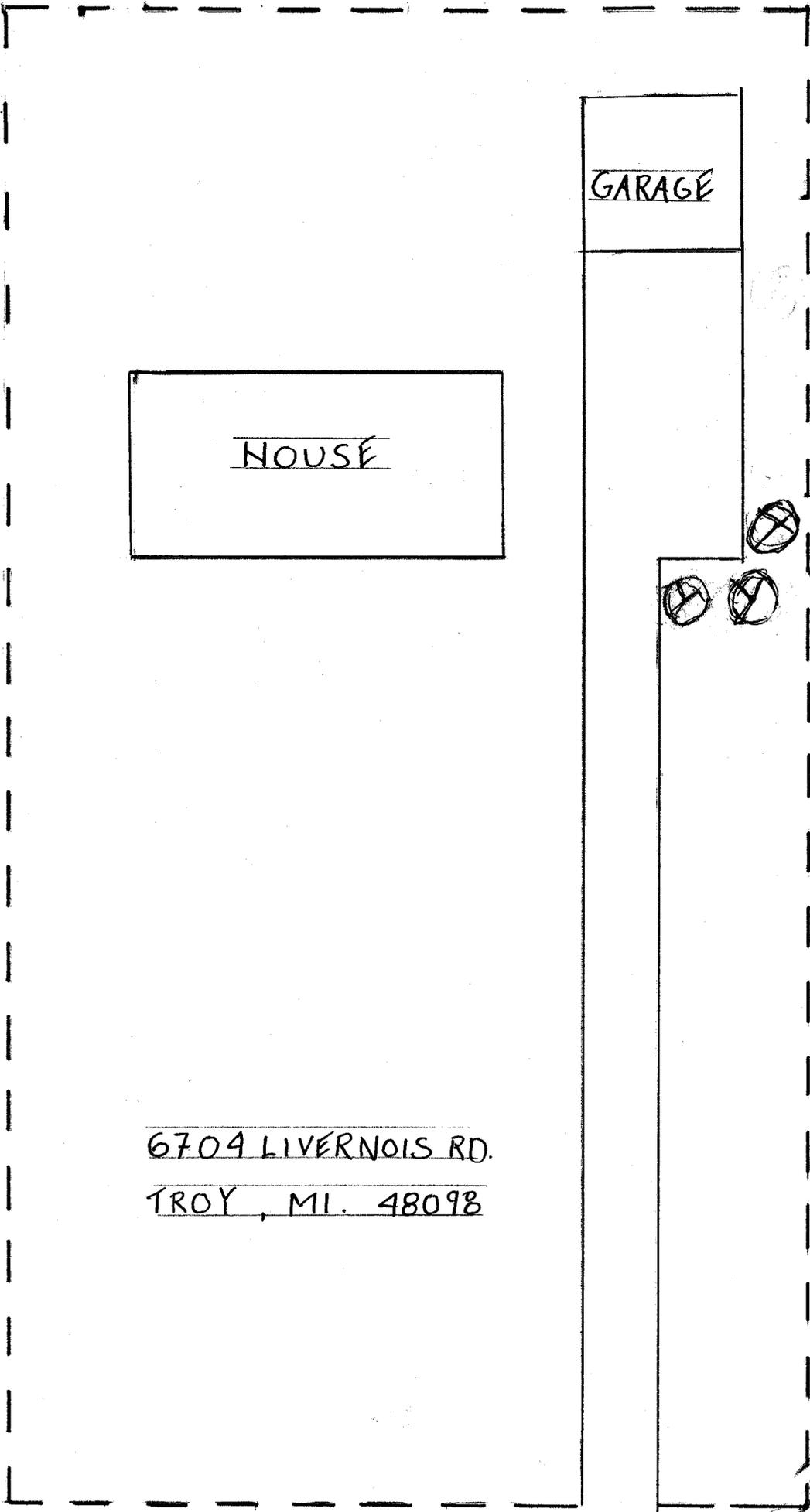
My Commission Expires: 09-01-03

## Reason For Appeal

B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicles. Brennan Electrical Contractors is run out of the residence at, 6704 Livernois Rd, Troy, MI. 48098. All of the materials required for electrical work (incl. Tools, job supplies, and all other applicable items) are kept in the garage of the residence. Because of this, storing the vehicles at an alternate location would pose a hardship on the business.

C. A garage or accessory building on the subject site cannot accommodate, or reasonably be constructed or modified to accommodate the subject commercial vehicle. There is currently a garage on the site. It does not, however, have the capacity to store 2 commercial vehicles. There is no additional space available to add on to the current garage and have it be functional.

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. There is currently enough paved parking for both commercial vehicles in front of the garage, which does not block any vehicular movement along the frontage street. If esthetics are an issue, there are a couple of alternatives available, such as a privacy fence, or possibly the planting of large conifers to block the view for neighbors or car travelers.



GARAGE

HOUSE

6704 LIVERNOIS RD.

TROY, MI. 48098

LIVERNOIS RD.

1" = 22.0"



Commercial Vehicle Appeal  
6704 Livernois  
City Council: 09/10/01

