

DATE: September 6, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Public Hearing
Commercial Vehicle Appeal
2239 E. Maple Road

On April 28, 2003, City Council approved a request from Mr. Roger Coley for approval to park two dump trucks and a commercial trailer on his property on East Maple Road. That approval was for a period of two years and has now expired. In response to our contact with Mr. Coley regarding the status of the vehicles, Mr. Coley has submitted an application seeking Council's approval to continue parking one of the dump trucks on the property. The other dump truck and trailer are no longer parked on the property.

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 12, 2005.

The property in question has an existing house that is 903 square feet in area. There is also an attached garage that is 308 square feet in area. Based upon the restrictions of Section 40.56.01 the area of the attached garage could be increased to 677 square feet. In addition, based upon the size of the property and the limitations of Section 40.56.02 of the Zoning Ordinance, detached accessory buildings totaling 836 square feet would be permitted.

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

Attachments

COMMERCIAL VEHICLE
APPEAL APPLICATION

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JUL 25 2005

BUILDING DEPT.

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

NAME: Regel Coley

ADDRESS: 2239 E. MAPLE RD

CITY: Troy MI. ZIP: 48063 PHONE: 248-528-0263

ADDRESS OF SITE: 2239 E. MAPLE RD Troy MI 48063

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S) 1996 CHEV DUMP 1-GBRC34F5T5107466 # PLATE# ZW 9802
1997 1997 Ford Pickup # 1FTHF36H7VEA31076 - # PLATE 4196 DU

LICENSE PLATE NUMBER(S) _____

DESCRIPTION OF VEHICLE(S) 1996 CHEV 3500 SERIES SMALL DUMP TRUCK (3 YARD DUMP TRUCK)
1997 Ford PICK UP TRUCK

REASON FOR APPEAL (see A - D below) (D) we have had and parked our TRUCKS HERE FOR OVER 25 YEARS AND we HAVE 6 FT. WOODEN FENCE AROUND BACK YARD

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..

Roger Coley
(signature of applicant)

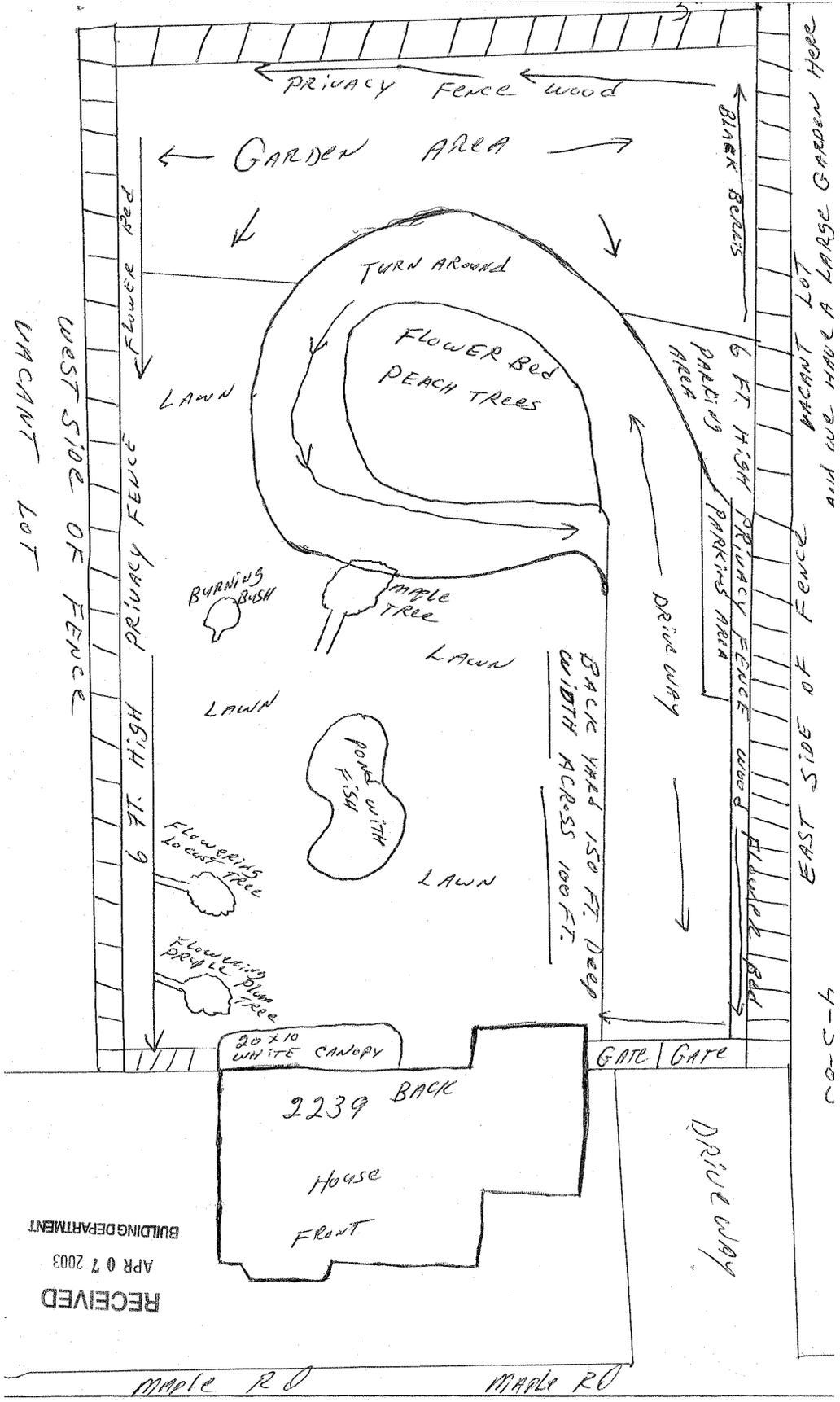
STATE OF MICHIGAN
COUNTY OF *Macomb acting in Oakland*

On this *25th* day of *July*, 20*05* 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.

David C. Traus
Notary Public, *Macomb* County, Michigan
acting in Oakland

My Commission Expires: *Mar 6, 2012*

DAVID C. TRAU
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 6, 2012
ACTING IN COUNTY OF



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 APR 07 2003
 BUILDING DEPARTMENT





500 West Big Beaver
Troy, Michigan 48084
www.troymi.gov

June 24, 2005

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JUL 25 2005

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Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Roger Coley
2239 E. Maple
Troy, MI 48083

Subject: 2239 E. Maple - Commercial Vehicles

Dear Mr. Coley:

On April 25, 2005, the Troy City Council approved your appeal to park two dump trucks at the residential property listed above for a period of two years.

If it is your intent to continue to park the vehicles at this location, you must submit the enclosed Commercial Vehicle Appeal application to our office by July 8, 2005 or the vehicles must be removed from the residential property.

You may call me at 248-524-3359 if you have questions.

Sincerely,


Marlene Struckman
Inspector Supervisor

To whom it may concern:

Rose and Roger have been our neighbors since January of 2005 and we hope they will be for a long time. They are hardworking people also very caring and always share their vegetables and fruits from their garden with us. We are very happy with them and they are wonderful neighbors. We will always talk on their behalf for any cause.

Sincerely,

Jani Chan

Thursday, July 28, 2005

2251 E. MAPLE
TROY MI 48063

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JUL 29 2005

BUILDING DEPT.

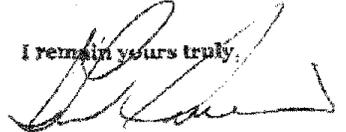
(248) 740-0693

Allan H. Silverman
2750 W. Eleven Mile Rd.
Berkley, Michigan 48072

To Whom It May Concern:

Please be advised that Mr. & Mrs. Roger Coley have occupied this residence for approximately twenty four years and have had permission to park any type of vehicle and equipment that their occupation would require having. Hoping this letter satisfies your request.

I remain yours truly,



Allan H. Silverman
Owner of the Property
2239 E. 15 Mile
Troy, Michigan 48063

PH 1-248-763-0448

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JUL 29 2005
BUILDING DEPT.

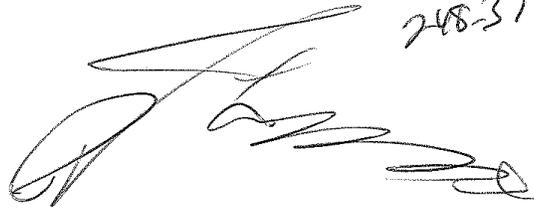
To whom it may concern:

I have lived next door to Rose and Roger for about a year. I have not had any problems with them, their trucks, or landscaping equipment. Their lot is clean and has a lot of good landscaping. They are good people to have as neighbors. They let me use water an electric when I was building.

Sincerely,
Robert Azzo
2195
7-28-05

MAPLE

248-376-2963



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JUL 29 2005

BUILDING DEPT.

July 29, 2005

RECEIVED

Whom ~~to~~ ^{to} May Concern -

BUILDING DEPT.

We have lived in the
h of Roger and Rose Colley
24 years and we have
er had a problem with
em.

We count our "blessings"
have such wonderful
ighbors. They have always
a kind and helping people.

Roger and Rose are hard
king people and never
e bothered anyone. What
y own they have earned.
had laboring work!

ne #
8-689-2751

Sincerely,
Robert and Frances
2194 Virginia
Tray, Mickey

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JUL 29 2005

July 29-2005

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To Whom it May Concern:

We have lived behind Rose and Roger for over 25 years, never have we had any problems with them.

They keep there trucks clean and quiet, and do not bother any one.

They have been wonderful neighbors. If we need help with any thing, they lend their equipment, and trucks, and there is never a charge. Every year they plant a large garden, and give a lot away to there neighbors, and they keep there property nice and clean with lots of flowers, and fruit trees.

I would be more than happy, at any time to speak on there behalf.

They are hard working people. Its amazing Rosie still works every day, in the summer, in land scaping, laying sod at her age.

Thank you:

- Sophie Tilley.

- W B Tilley

2228 Virginia

Troy, Michigan 48063

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SEP 02 2005

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TO: CITY COUNCIL

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

My reason for this approval objection is:

Being as property faces Maple Rd
it will not deter or take away from
Sub. He's a working man and just one
dump truck is all O.K.
Percentage of People in the Gold Coast area
of Troy have Commercial vehicles parked
in their driveway, which constitutes their
livelihood. LET him Park it
Gaur's Fealy

NAME McGonduck
ADDRESS OR PROPERTY DESCRIPTION 2243 Virginia

