

DATE: May 23, 2005

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item - Announcement of Public Hearing  
Commercial Vehicle Appeal  
1820 E. Wattles

On October 27, 2003 Mr. Steven Pary received a variance from City Council to park a commercial vehicle on his property at 1820 E. Wattles Road. That variance, set to expire in October of this year, was for the outdoor parking of a wrecker mounted on a white Ford F-350 chassis. Recently, on a visit to the site, my staff noted a different wrecker parked on the site. That vehicle is a red GMC flat bed wrecker. Our inquiries with Mr. Pary indicate that he now wishes to park the GMC wrecker on his site instead of the previously approved Ford wrecker. He was informed that approval for this would require further action by City Council. On May 12, 2005, Mr. Pary filed the application for appeal. A public hearing has been scheduled for your meeting June 20, 2005 in accordance with Section 44.02.01 of the Zoning Ordinance.

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: STEVEN PARY

ADDRESS: 1820 E. WATTLES

CITY: TROY MI. ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS OF SITE: 1820 E. WATTLES

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)  
1BDB6H1J1N5523460

LICENSE PLATE NUMBER(S) 0725 AU

DESCRIPTION OF VEHICLE(S) 1992 GMC WRECKER

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

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..

*Julesam Pary*

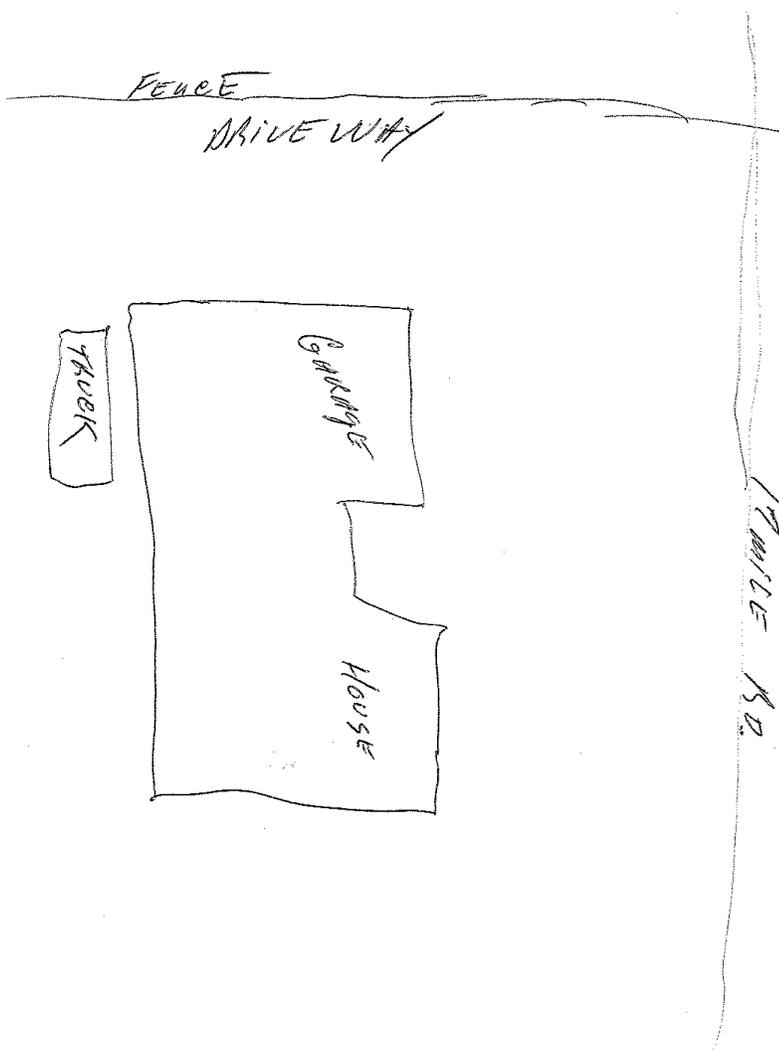
*[Signature]*  
(signature of applicant)

STATE OF MICHIGAN  
COUNTY OF Oakland

On this 12 day of May, 2005 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.

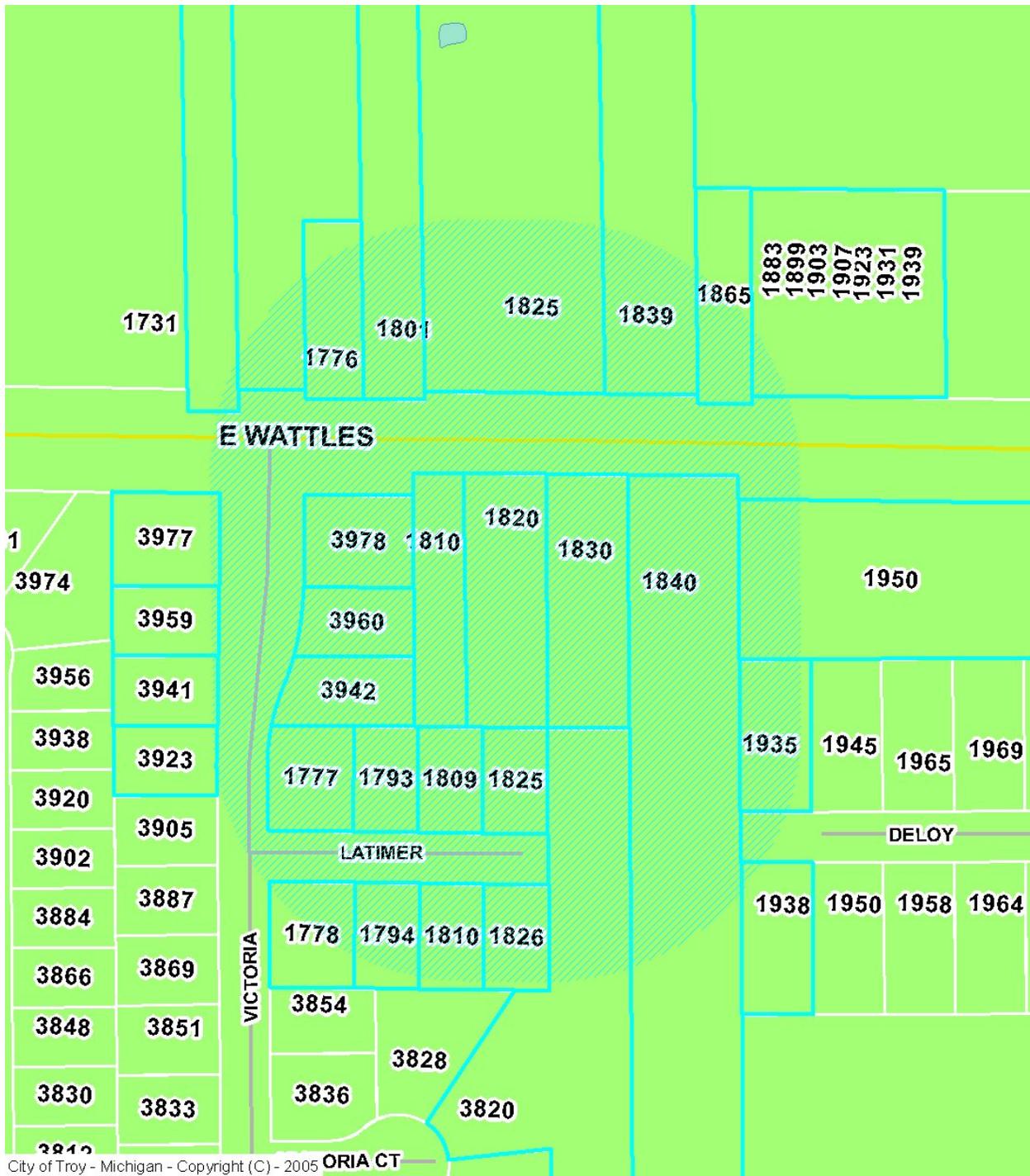
Mary Laraine McHennis - Oakland  
Notary Public, County, Michigan

My Commission Expires: 5-30-2007



RECEIVED  
MAY 27 2003  
BUILDING DEPARTMENT





RECEIVED

JUN 14 2005

BUILDING DEPARTMENT

TO: CITY COUNCIL

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

My reason for this approval  objection  is:

Mr. Pary needs this wicker at his home so he can make a living and support his family. I hope you take all of this into consideration when making your final decision.

Thank you,

NAME: Paula Fleming

ADDRESS OR PROPERTY DESCRIPTION 3820 Victoria Ct.  
Troy 48083

RECEIVED

JUN 14 2005

BUILDING DEPARTMENT

TO: CITY COUNCIL

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

My reason for this approval  objection  is:

Mr. Pary needs this wrecker at his home to respond to service calls he receives 24 / Hours a day.

This is simply a wrecker that is a direct replacement for the Ford wrecker the Council approved to be parked at his residence about (1) year ago.

Please grant him this variance, in order for him to effectively provide a living for his family & minimize the time he is away from his wife Julie who is ill and needs his attention.

P.S. There is a much larger problem with Mr. Pary's neighbors to the South who own a city employee.

NAME: WADE FLEMING S/P/05

ADDRESS OR PROPERTY DESCRIPTION 3820 VICTORIA CT.

I own property that joins Mr. Pary on the South East corner.

Thanks,

Wade Fleming