

DATE: May 10, 2005

TO: John Szerlag, 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 March 19, 2004, 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 has now expired. 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 May 16, 2005.

The petitioner's property is relatively large, being 167' wide by 310' deep. 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 50 square feet of accessory building can be added to the site per the requirements of Section 40.57.04. There is sufficient room on the site to construct a significant attached garage on the property.

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

#### Attachments

Prepared by: Mark Stimac, Director of Building and Zoning

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APR 27 2005

BUILDING DEPARTMENT

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: ADRIAN FRENIE

ADDRESS: 6881 WESTAWAY

CITY: TROY MI. ZIP: 48025 PHONE: (313) 598-6089

ADDRESS OF SITE: 6881 WESTAWAY

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)  
1GBJC34K6PE125059

LICENSE PLATE NUMBER(S) 4087 MS

DESCRIPTION OF VEHICLE(S) CHEVROLET FLAT BED

REASON FOR APPEAL (see A - D below) 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..

  
\_\_\_\_\_  
(signature of applicant)

STATE OF MICHIGAN  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ 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.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Michigan

My Commission Expires: \_\_\_\_\_



**GEORGE JEROME & CO.**  
 WWW.GJANDCO.COM

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MAR 29 2004

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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.

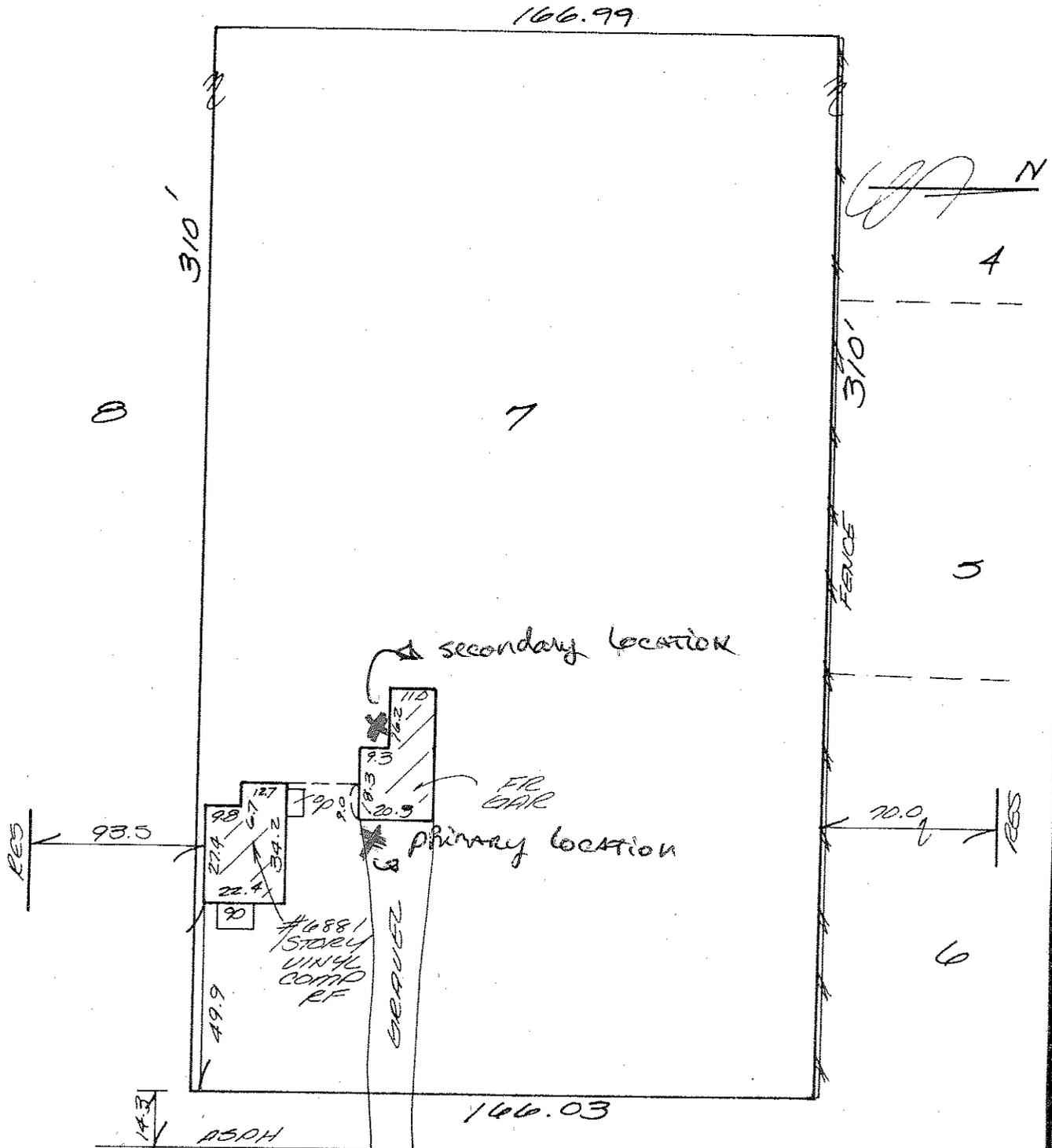






Photo Taken By Building Department Staff



6915

This is an aerial photograph of a residential neighborhood. The image shows several houses with their roofs and some surrounding trees. A cyan-colored rectangular border highlights a specific property. The number '6915' is printed in large, white, bold font with a black outline in the upper portion of the image. The number '6881' is printed in the same style in the lower portion, within the cyan-bordered area. A vertical road on the right side of the image is labeled 'WESTWAY'.

6881

WESTWAY



TO: CITY COUNCIL

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

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My reason for this approval  objection  is:

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If you let the stake truck park there; soon they will have two or three trucks parked there or they will say they're just visiting there. It's bad enough just having lawn service trucks and ~~trailer~~ trailers parked up and down the street on either side all summer. If they are approved to park stake truck; then I am getting one also, and want the right and fairness to do the same.

NAME:

Donald Lassiter

ADDRESS OR PROPERTY DESCRIPTION

6916 Westaway



TO: CITY COUNCIL

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

My reason for this approval [ ] objection [✓] is:

if one person gets approved then everybody in the neighborhood will want to do the same thing. The neighborhood will look like a truck stop.

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MAY 06 2005

BUILDING DEPARTMENT

NAME: Patricia Phillips

ADDRESS OR PROPERTY DESCRIPTION 559 West South Blvd,  
Troy, Mich. 48065