

DATE: April 8, 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
1102 Boyd

On March 16, 2005, information was sent to Nicholas Ianos that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the Dodge dump truck and wood chipper 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, Ms. Irene Ianos 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 April 18, 2005.

The existing home on the property is 874 square feet. There is already a 634 square foot detached garage on the site. Per the requirements of Section 40.57.04 of the Zoning Ordinance, no additional detached buildings could be constructed. The parcel of this home is 10,800 square feet in area. Based upon the maximum 30% lot coverage a total of 3,240 square feet of buildings could 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

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:

RECEIVED
MAR 23 2005
BUILDING DEPARTMENT

NAME: Irene Janos

ADDRESS: 1102 Boyd St.

CITY: Troy MI. ZIP: 48083 PHONE: 248-619-0685

ADDRESS OF SITE: 1102 Boyd

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S)
1B6MF36C0TJ180506 - Truck

LICENSE PLATE NUMBER(S) BW 6204 - Truck

DESCRIPTION OF VEHICLE(S) Wood Chipper + Dump Truck

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 OAKLAND

On this 23rd day of March, 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.

PAMELA R. PASTERNAK
Notary Public, State of Michigan, County of Macomb
My Commission Expires September 1, 2007
Acting in the County of Oakland

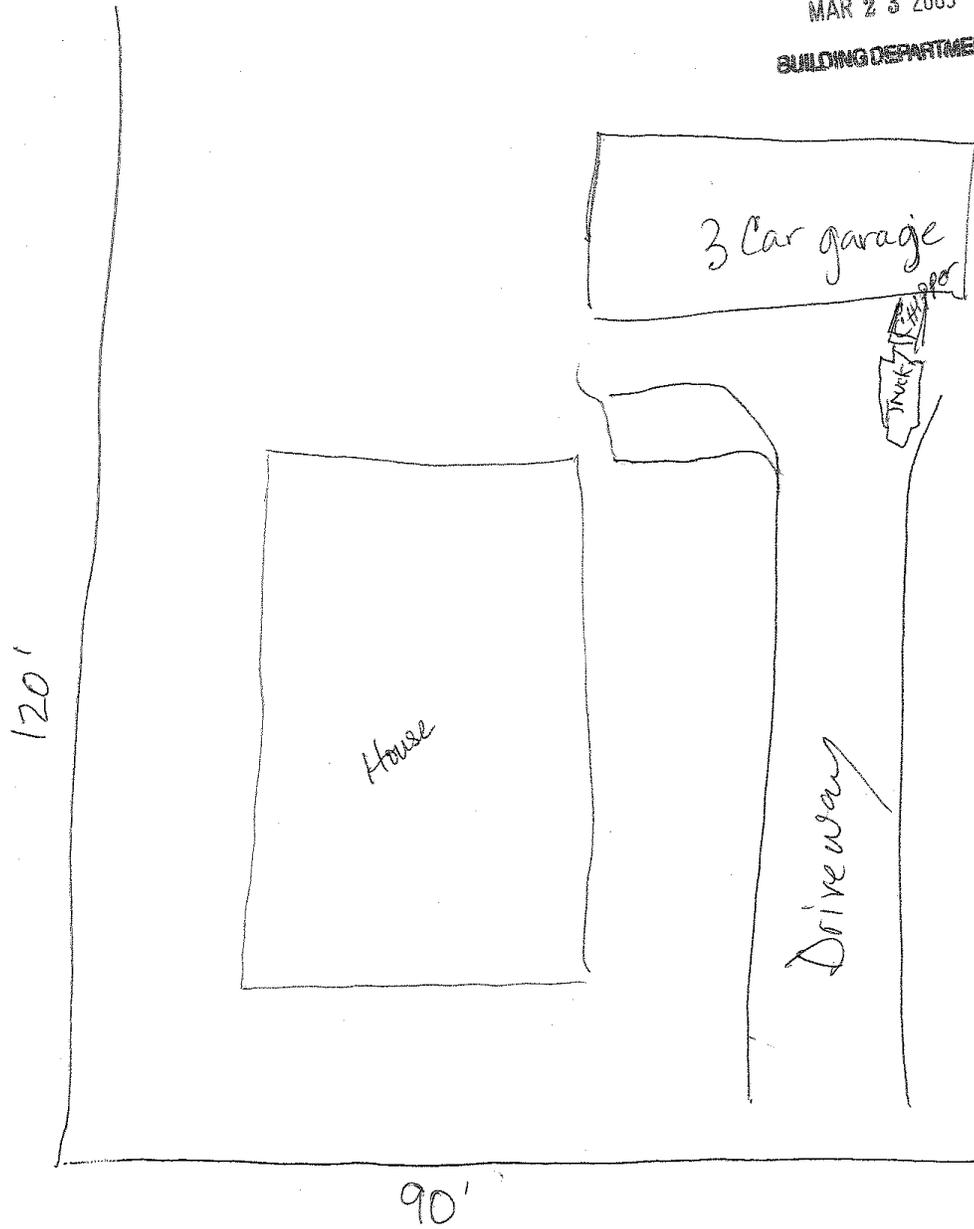
Pamela R Pasternak
Notary Public, County, Michigan

My Commission Expires: _____

RECEIVED

MAR 23 2005

BUILDING DEPARTMENT







RECEIVED

APR 07 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:

This home has been running a business out of the home since they moved in, with semi-trucks, tree trimming vehicles, etc. They have been destroying their front yard, and allowing them to park a commercial vehicle in front will make his home and our neighborhood look far worse. I would find this to be a detriment, and would be concerned if other homes treated their houses as a commercial business. Please do not destroy the quaint cottage-style neighborhood that we enjoy.

NAME: Denise & Michael Murray

ADDRESS OR PROPERTY DESCRIPTION 1128 Boyd

If Commercial Vehicles Are Allowed To Park On This Street, IT Will Lower Property Values On The Entire Block. Commercial Vehicles Belong On Commercial Property Not Residential.

RECEIVED

APR 07 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:

This home is running a business out of their residence. There is constant traffic at this address along with large trucks pulling in and out. It presents a problem with entering and exiting the driveway.

NAME: Thomas Tuszak

ADDRESS OR PROPERTY DESCRIPTION 1097 Boyd.

RECEIVED

APR 07 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:

*There should be no Commercial Vehicles
on residential streets of any kind.
I sure don't want to look at them.
I see that truck and mess everyday.
It should not be there. They also have
a Limo setting there now. When is that
going to be gone???*

NAME: *Monica W. Carrier*

ADDRESS OR PROPERTY DESCRIPTION *1087 Boyd*