

DATE: December 5, 2005

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item - Announcement of Public Hearing  
Commercial Vehicle Appeal  
5028 Abington

On October 24, 2005, information was sent to Rui Cai Li that identified restrictions related to a commercial vehicle located on residential property. As part of that information, she was advised that the Ford box truck parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00. She was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letters, Ms. Li 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 January 9, 2006.

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: Rui Cai Li

ADDRESS: 5028 ABINGTON DR

CITY: TROY MI. ZIP: 48065 PHONE: 240 740 7832

ADDRESS OF SITE: Same

NUMBER OF VEHICLES: \_\_\_\_\_

VEHICLE IDENTIFICATION NUMBER(S)  
1FDWE35L8YHA7279

LICENSE PLATE NUMBER(S) \_\_\_\_\_

DESCRIPTION OF VEHICLE(S) Van weight ~~2400~~ 007510 (ve)

REASON FOR APPEAL (see A - D below) For Temporarily parking

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..

*Rui Cai Li*

(signature of applicant)

STATE OF MICHIGAN

COUNTY OF Oakland

On this 27th day of October, 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.

Karen B Malden Oakland, Mi  
Notary Public, County, Michigan

KAREN B. MALDEN  
Notary Public, Oakland County, Michigan  
My Commission Expires: July 2, 2008

My Commission Expires: July 2, 2006

File No.: 200217228

### EXHIBIT A

LOT 105, EAST LONG LAKE ESTATES SUBDIVISION, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.  
ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED IN LIBER 122 OF PLATS, PAGE 1,  
OAKLAND COUNTY RECORDS.

FOR INFORMATIONAL PURPOSES ONLY,  
COMMONLY KNOWN AS: 5028 ABINGTON, TROY







