

Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Edna Rucker (7805), to locate a lodging house (hotel) at 8321-23 Dexter near Atkinson. After a hearing and further consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the locational provisions of Section 10.1D of the Zoning Ordinance 171-D, be and the same are hereby waived insofar as they apply to the petition of Edna Rucker for the establishment and operation of a lodging house (hotel) at 9321-23 Dexter, provided petitioner secures the required permits within six months from June 30, 1964, and before occupying the premises for said use as granted, and further

Provided, That Lot 119 of McQuade's Dexter Boulevard Sub. be used for parking in conjunction with the proposed lodging house (hotel) subject to compliance with the following conditions:

1. That the parking area be hard surfaced and drained.
2. That a setback be provided on the easterly 25 ft. of Lot 119 and that the setback area be landscaped.
3. That a 4 ft. solid fence be erected between the required setback and the hard surfaced parking area.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Van Antwerp, Wierzbicki and President Cary—5.

Nays—Councilmen Beck, Ravitz and Rogell—3.

MONDAY, JUNE 29TH

Chairman Van Antwerp submitted the following committee reports for above date, and recommended their adoption:

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Jim Causley Pontiac, Inc. (8221), for electrical conduit encroachment under alley north of Mack Ave. and west of Hereford. After consultation with the Department of Public Works and the Public Lighting Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

PHILIP J. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Jim Causley Pontiac, Inc., owner of property described as "South 35.44 ft.

on the front and South 186.77 ft. on the rear of Lot 10 of Grosse Pointe Garden Sub." to install and maintain an underground electrical conduit under the 18 ft. north-south public alley, north of Mack Ave. and west of Hereford, 30 inches below grade and enclosed in a cast iron sleeve, crossing the alley at a point approximately 150 ft. west of Hereford from Lots No. 1 through No. 9 of Grosse Pointe Garden Sub. to Lot No. 10 of this same subdivision, subject to petitioner furnishing an agreement in accordance with the resolution.

Provided, That same be constructed and/or maintained under the rules and regulations of the Departments of Public Works, Buildings and Safety Engineering and the Public Lighting Commission, in accordance with plans submitted to and approved by those departments, and further

Provided, That the permittee for himself, his heirs, legal representatives, successors and assigns shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that during the life of said encroachment the permittee will assume full liability for any and all damages which may be sustained by the City arising by reason of the granting of said permit, and that said permittee will, before the issuance of said permit, file with the City Controller the type of document as above set forth, naming the City of Detroit as obligee therein, conditioned to indemnify and save harmless the City of Detroit from any and all loss or damages, including loss or damage emanating from personal injury and property damage, costs and expenses it may suffer arising during the life of said encroachment by reason of the issuance of said permit. The said document shall be approved by the Corporation Counsel as to form and execution before filing same with the City Controller, and further

Provided, That the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time said structure or installation is remodeled, rebuilt or otherwise changed, so that the street, alley or other public property affected thereby shall remain free of such encroachment; and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense; and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and that at any time said permit is revoked by the Council the said encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and Safety Engineering or his agents may enter into and upon the premises and remove at permittee's expense, any part of said structure or installation which encroaches into or upon a street, alley or other public property, and further provided, that the permittee, hereby waives any right to claim damages or compensation from the City of Detroit, or from any official agent thereof, due to the trespass or damage resulting from removing any such encroachment upon a street, alley, or other public property.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Lester Krompotich, Et Al (8215), for change of name on permit for building encroachment at 6100 E. Davison. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,
PHILIP J. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That resolution adopted February 13, 1963 (J.C.C. p. 339), granting petition of Martin Electric Division, Thompson Industries, Inc. to maintain building encroachment beyond the property line at 6100 E. Davison into public property, be and the same is hereby rescinded, and further

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Lester Krompotich and Mildred Krompotich, his wife, owners of premises herein described to maintain existing encroachment beyond the property line into public property, of two-story building of .05 ft. at the west end and .08 ft. at the east end into Davison Ave., for a distance of 46.90 ft. along the street, at 6100 E. Davison, described as Lots 21 to 30 incl., except that part taken for street widening, Berman & Friedman's North Detroit Sub.

Provided, Petitioner files an agreement in accordance with this resolution, and further

Provided, That same shall be con-

structed and/or maintained under the rules and regulations of the Dept. of Public Works and the Dept. of Buildings & Safety Engineering, in accordance with plans submitted to and approved by those departments, and further

Provided, That the permittee, for himself, his heirs, legal representatives, successors and assigns shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that during the life of said encroachment the permittee will assume full liability for any and all damages which may be sustained by the City arising by reason of the granting of said permit, and that said permittee will, before the issuance of said permit, file with the City Controller the type of document as above set forth, naming the City of Detroit as obligee therein, conditioned to indemnify and save harmless the City of Detroit from any and all loss or damage, including loss or damage emanating from personal injury and property damage, costs and expenses it may suffer arising during the life of said encroachment by reason of the issuance of said permit. The said documents shall be approved by the Corporation Counsel as to form and execution before filing same with the City Controller, and further

Provided, That the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time said structure or installation is remodeled, rebuilt or otherwise changed, so that the street, alley or other public property affected thereby shall remain free of such encroachment; and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense; and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and that at any time said permit is revoked by the Council the said encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and Safety Engineering or his agents may enter into and upon the premises and remove at permittee's expense, any part of said structure or installation which encroaches into or upon a street, alley or other public property, and further provided, that the permittee, hereby waives any right to claim damages or compensation from the City of Detroit, or from any official