

**Commercial Uses**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred on May 4, 1965 (JCC p. 971) a resolution to grant petition of Katrina M. Baker (10491), to continue operation of secondhand store at 4625 Third St. After further consideration of the matter, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

MEL RAVITZ,

Chairman.

By Councilman Ravitz:

Resolved, That the locational provisions of Section 10.1D of the Zoning Ordinance 171-D, be and the same are hereby waived for an additional period of two years from May 11, 1965 insofar as they apply to the petition of Katrina M. Baker to continue to operate an existing second-hand store at 4625 Third near Forest, provided petitioner secures the required permits within 30 days from May 11, 1965, and further

Provided, That the operation of said business shall be limited to the sale of used clothing and small appliances; that the merchandise shall be displayed in a neat and orderly fashion, and that there shall be no outside display of merchandise.

Adopted as follows:—

Yeas—Councilmen Beck, Connor, Poindexter, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

**MONDAY, MAY 10th**

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

**Charitable Solicitations**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Penrickton Center for Visually Handicapped Children (10558), to solicit on city streets. After consultation with the Dept. of Police, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

EDWARD CONNOR,

Chairman.

By Councilman Connor:

Resolved, That subject to the provisions of the Charitable Solicitations Ordinance, permission be and is hereby granted to the following to conduct charitable solicitations on city streets in areas and time mentioned:

Penrickton Center for Visually Handicapped Children, a tag day type of solicitation to be held at several key locations downtown and in the northwest section of Detroit, during the week of June 10 through June 17, 1965.

Provided, The rules and regulations of the Dept. of Police are observed, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Poindexter, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

**Dangerous Structures**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred the matter of the dangerous structure at 2439 Junction which was ordered demolished July 16, 1963. After consultation with Department of Buildings and Safety Engineering, and further consideration of the matter, your committee recommends that action be taken in accordance with the following resolution.

Respectfully submitted,

EDWARD CONNOR,

Chairman.

By Councilman Connor:

Resolved, That the Department of Buildings and Safety Engineering is hereby directed to confer with the owners or interested parties as to their plans for the property at 2439 Junction and to submit a report thereon within one week from May 11, 1965, and further

Resolved, That the Department of Public Works, is hereby directed to desist and refrain from proceeding with the proposed demolition work pending further action by this body.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Poindexter, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

**Encroachments**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Henry C. Keywell, et al (10507), to encroach upon public property at 118 Clifford St. After consultation with the Department of Parks & Recreation, and other departments concerned, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

EDWARD CONNOR,

Chairman.

By Councilman Connor:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue to Henry C. Keywell, Jerome M. Keywell, Rita Keywell, Kopel I. Kahn, Estelle K. Kahn, J. Phillip Levant, Ethel Levant, Joyce Pensler and Paul Pensler, owners of record of property commonly known as 118 Clifford Street, described as Lots 16 and 17, except north 4 ft. thereof of Lot 17,



Governor and Judges Plan, Section 8, City of Detroit, Wayne County, Michigan, Liber 34 Deeds Page 543, excepting easement as noted, to install and maintain a building encroachment consisting of aluminum and glass prism curtain wall, with window openings and steel supports, to extend a maximum of 12 in. into Washington Blvd. for a distance of approximately 112 ft. and extend a maximum of 18 in. into Clifford St. for a distance of approximately 100 ft. and also, to extend a maximum of 24 in. into the public alley for a distance of approximately 112 ft.; said encroachment to start at the second floor to the sixth floor for a total height of 65.5 ft. (curtain wall has been approved by Fire Marshall). Provided petitioner furnishes an agreement in accordance with this resolution.

Provided, That same shall be constructed and/or maintained under the rules and regulation of the Department of Public Works, Buildings & Safety Engineering, and Parks & Recreation, and in accordance with plans submitted to and approved by those departments and the City Plan Commission, 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 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, Connor, Poindexter, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Carl Rosenfield (10712), for building encroachment at 3020 Grand River Ave. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

EDWARD CONNOR,

Chairman.

By Councilman Connor:

Resolved, That resolution adopted May 3, 1960 (J.C.C. p. 767), granting petition of Carl Rosenfield for encroachments at 3020 Grand River Ave., described as Lots 10 to 17 incl., of Albert Crane's Sub., corner of Hobson St., be and the same is hereby amended for the purpose of authorizing and directing the Department of Public Works to issue a permit under the same terms and conditions of said resolution for an additional encroachment to consist of an extension to the existing marquee to project 8 ft. from the building, leaving a clearance of one ft. from the street curb at the south end and a clearance of four ft. from the street curb at the north end and at an elevation of nine ft. above sidewalk grade for a distance of 20.9 ft. along Hobson Ave., to be of similar construction as existing marquee, provided petitioner files an