

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering & Environmental Department

November 25, 2015

Honorable City Council:

Re: Address: 13810 Edmore Dr. Name: Barton Mitchell. Date ordered removed: June 30, 2015, (J.C.C. page 1137).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on November 19, 2015 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.
2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within three months, at which time the owner will obtain one of the following from this department:
 - Certificate of Acceptance related to building permits
 - Certificate of Approval as a result of a Housing Inspection
 - Certificate of Inspection, required for all residential rental properties.
3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted on October 14, 2014, (J.C.C. pages 2121-2128), July 28, 2015, (J.C.C. page 1406) and June 30, 2015, (J.C.C. page 1137) for the removal of a dangerous structures at various locations, be and the same is hereby amended for the purpose of deferring the removal order for dangerous structures, only, at 18633 W. McNichols, 19285 Conant, 20124 Ryan and 13810 Edmore Dr., for a period of six (6) months, in accordance with the four (4) foregoing communications.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Cushingberry, Jr., Leland, Castaneda-Lopez, Spivey, Tate, and President Jones — 8.

Nays — None.

Buildings and Safety Engineering Department

November 18, 2015

Honorable City Council:

Re: 30 E. Philadelphia. Date ordered removed: February 2, 2016 (J.C.C. page _____).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection conducted on November 16, 2015 revealed that the property did not meet the requirements of the application to defer. The property continues to be open to trespass and not maintained.

Therefore, we respectfully recommend that the request for a deferral be denied. We will proceed to have the building demolished as originally ordered with the cost of demolition assessed against the property.

Respectfully submitted,

DAVID BELL
Building Official

By Council Member Benson:

Resolved, That the request for rescission of the demolition order of February 2, 2016 (J.C.C. page _____) on property at 30 E. Philadelphia be and the same is hereby denied and the Buildings, Safety Engineering and Environmental Department be and IT is hereby authorized and directed to have the building removed as originally ordered in accordance with the one (1) foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Spivey, Tate, and President Jones — 8.

Nays — None.

Department of Public Works City Engineering Division

December 14, 2015

Honorable City Council:

Re: Petition No. 252 — Twelfth Street

Missionary Baptist Church, request permission to convert Idaho Avenue between Midland Avenue and Pear Avenue to an easement.

Petition No. 252 — Twelfth Street Missionary Baptist Church, request to vacate and convert to easement Idaho Avenue, 60 feet wide from Midland Avenue, 60 feet wide, to Pear Avenue, 30 feet wide. The request has been amended to renew the existing temporary closure due to the existing usage and condition.

The request was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The request is a renewal of an existing closure that has no record of objections. The request is being made to maintain security and prevent illegal dumping.

All involved City departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities. Provisions protecting the rights of the utilities and the City are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.
City Engineer

City Engineering Division — DPW
By Council Member Benson:

WHEREAS, the previous petition #0702 to temporarily close Idaho Avenue, 60 feet wide from Midland Avenue, 60 feet wide, to Pear Avenue, 30 feet wide, was granted by City Council on February 14, 2007 (J.C.C. pages 353-354), and

WHEREAS, The petitioner complied with the terms, conditions and restrictions of the previously granted Council resolution; therefore be it

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permits to Twelfth Street Missionary Baptist Church at 1840 Midland Avenue, Detroit, MI 48238 to close Idaho Avenue, 60 feet wide from Midland Avenue, 60 feet wide, to Pear Avenue, 30 feet wide, also to close Pear Avenue, 30 feet wide, from Idaho Avenue to the north-south public alley, 18 feet wide, first west of Idaho Avenue all being further described as follows: Idaho Avenue, 60 feet wide, from the south line of Pear Avenue, 30 feet wide, to the south line of Midland Avenue, 60 feet wide, and lying easterly of and adjoining the easterly line of Lots 89 through 126, both inclusive, and Pear Avenue adjoining said Lot 126, also lying westerly of and adjoining the westerly line of Lots 139 through 177, both inclusive and that part of Lot 138 lying north of the south line of Pear Avenue, 30 feet wide “Robert Oakman’s Everitt ‘30’ Subdivision of part of the

South West 1/4 of Section 14, T.1S.,R. 11E. Greenfield Twp. Wayne County, Michigan” as recorded in Liber 27, Page 10 of Plats, Wayne County Records; also Pear Avenue, 30 feet wide from Idaho Avenue to the north-south public alley, 18 feet wide, first west of Idaho Avenue lying southerly of and adjoining the southerly line of Lot 126 and lying northerly of and adjoining the northerly line of Lot 128 (said Lot 128 part of the Plat vacated by order of Circuit Court, File 63576 Liber 1069, Page 57 on March 20, 1916) “Robert Oakman’s Everitt ‘30’ Subdivision of part of the South West 1/4 of Section 14, T.1S.,R.11E.Greenfield Twp. Wayne County, Michigan” as recorded in Liber 27, Page 10 of Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on January 1, 2021;

PROVIDED, That the petitioner shall file with the Finance Department and/or City Engineering Division – DPW an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street closing; and

PROVIDED, The property owned by the petitioner and adjoining the temporary public street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the street; and

PROVIDED, The petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing, and

PROVIDED, No buildings or other structures of any nature whatsoever (except necessary line fence), shall be constructed on or over the public rights-of-way. The petitioner shall observe the rules and regulations of the city Engineering Division – DPW. The City of Detroit retains all rights and interests in the temporarily closed public right-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. Further, the petitioner shall comply with all specific conditions imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

PROVIDED, The petitioner’s fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles and must only be installed in such a way to not prohibit pedestrian traffic within

the sidewalk space; and

PROVIDED, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

PROVIDED, That if there is still a need for access from any of the submitting property owners to said temporary closed streets, access shall and must be maintained for those properties; and

PROVIDED, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division – DPW by the petitioner at the petitioner's expense; and

PROVIDED, That the fenced areas are kept clear of overgrowth so that maintenance trucks can access lighting material and a joint locking arrangement is made to interconnect with a standard Public Lighting Department (PLD) padlock for full PLD access; and

PROVIDED, That Detroit Water and Sewerage Department (DWSD) forces shall have free and easy access to the water main and sewer facilities at all times to permit proper operation, maintenance and if required, alteration or repair of the water main and/or sewer facilities. Free and easy access shall mean that no structured or storage of materials will be allowed upon the temporarily closed street to hinder the movement of maintenance equipment; and further

PROVIDED, That where a fence is placed across the temporarily closed por-

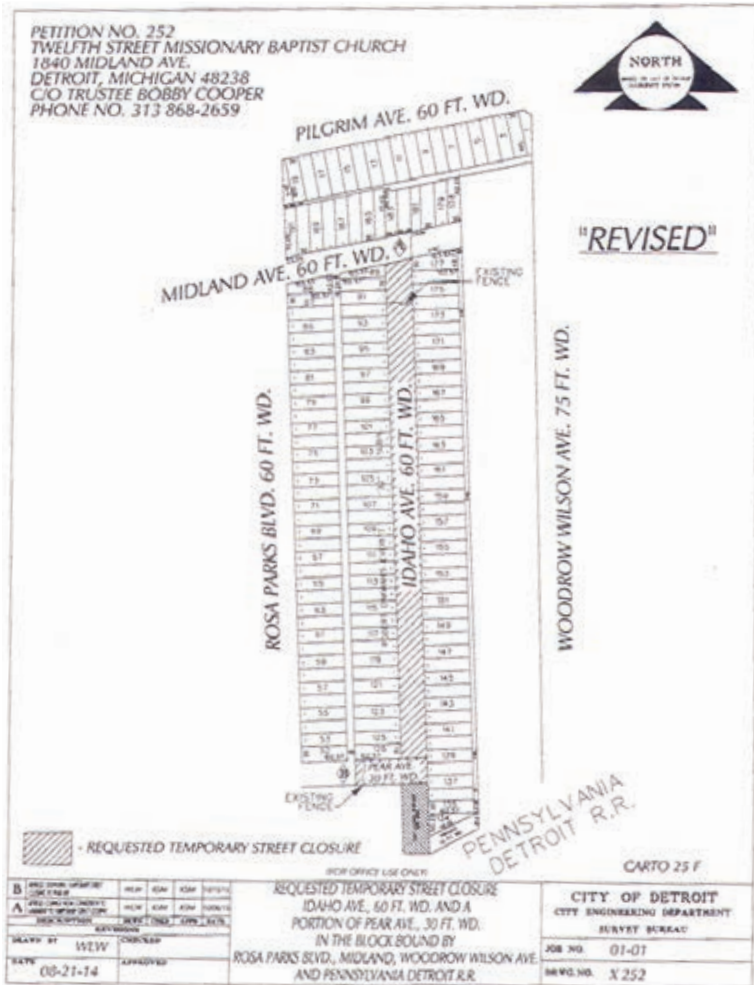
tion of a street/alley, then a gate must be installed to permit access for DWSD forces. The gate shall remain unlocked 24 hours a day unless a guard is stationed near the gate to allow DWSD ingress and egress at any time to the temporarily closed street. The minimum dimensions of the gates shall provide 15 foot vertical and 13 foot horizontal clearances for freedom of DWSD equipment movement; and further

PROVIDED, That should the water main and/or sewer facilities be broken or damaged as a result of any action on the part of the petitioner or assigns, then in such event the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damaged water main and appurtenances, and the petitioner waives all claims for damages; and further

PROVIDED, That this resolution is revocable at the will, whim or caprice of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

PROVIDED, That this permit shall not be assigned or transferred without the written approval of the Detroit City Council; and further

PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Cushingberry, Jr., Leland, Spivey, Tate, and President Jones — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 December 9, 2015

Honorable City Council:
 Re: Petition No. 531 – 1903 Wilkins, LLC, request to vacate previously abandoned alleys located on or abutting the property at 1903 Wilkins Street, Detroit, MI 48207 for the purpose of clearing title in order to consolidate the tax parcels into one single parcel.

Petition No. 531— by Silvia Shelby Bradley on behalf of 1903 Wilkins LLC, request to vacate and convert to easement

part of Erskine Avenue, Watson Avenue, Wilkins Avenue and the remaining public alleys in the area bounded by Wilkins Avenue, variable width, Erskine Avenue, 50 feet wide, Dequindre Cut (Grand Trunk Railroad right-of-way) and St. Aubin Avenue, 50 feet wide.

This request is being made in order to consolidate the Detroit Edison Public School parcels into a single tax parcel and to clear the title for the new parcel. The school has been in existence at the subject site for over 10 years but was a tenant and just purchased it from the landlord this year which now allows them to exempt the property taxes that they have been paying because of the lease terms.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.