

# City of Detroit

OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**RECEIVED**  
JAN 23 2009  
CITY OF DETROIT  
PLANNING & DEVELOPMENT DEPT.  
DIRECTORS OFFICE

## DEPARTMENTAL REFERENCE COMMUNICATION

*Friday, January 23, 2009*

**To:** *The Department or Commission Listed Below*

**From:** *Janice M. Winfrey, Detroit City Clerk*

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

PUBLIC WORKS DEPARTMENT    ENVIRONMENTAL AFFAIRS DEPARTMENT  
PLANNING AND DEVELOPMENT DEPARTMENT

**3136**    *F & M Auto Sale Inc., requesting complete alley closure in area behind 13228 E. 8 Mile Road because of illegal dumping in area.*

**RECEIVED**  
MAR 06 2009

*LED*  
*TED*  
*NOEL*

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400  
(313) 224-3260 • Fax (313) 224-1466

City of Detroit  
CITY COUNCIL

Monica Conyers  
President

JoAnn Watson  
President Pro Tem

Shella M. Cockrel  
Barbara Rose Collins  
Brenda Jones  
Kwame Kenyatta  
Martha Reeves  
Alberta Tinsley-Talabi

March 4, 2009

Mr. Alfred Jordan, Director  
Public Works Department

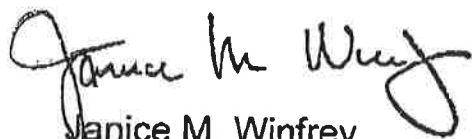
RE: Petition of F & M Auto Sale Inc. (#3136), requesting complete alley closure in area behind 13228 E. 8 Mile Road, because of illegal dumping in area

Dear Mr. Jordan:

During the Planning & Economic Development Standing Committee of Wednesday, February 18, 2009, City Council requested that above-captioned matter be referred to your office for review and report.

It is respectfully requested that you respond to Council's concerns, **by Wednesday, March 11, 2009**, as this matter will be a line item on Council's Calendar on that date.

Very truly yours,



Janice M. Winfrey  
City Clerk

JMW/sm

cc: Ms. Arese Robinson, Mayor's Office

Attachment

DETROIT  
CITY CLERK

3136

2009 JAN 21 A 11: 12

January 16, 2009

Honorable City Council  
2 Woodward  
200 CAYMC  
Detroit, MI 48205

Dear Honorable Council Members:

I am the owner of F & M Auto Sale Inc., located at 13228 E. 8 Mile Rd in Detroit, Michigan. The City Council granted my initial request for closing half the alley between Alcoy and JoAnn streets. Unfortunately, the illegal dumping of: trash, furniture, used tires, and unwanted debris is now occurring on the opposite end of the alley.

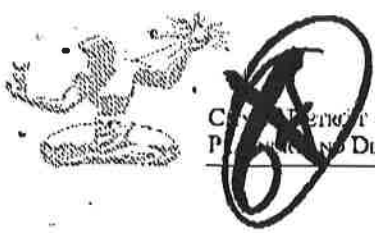
Currently, there is a vacant lot where homeowners were, and this lot as well as the entire portion of the unsecured alley is now being filled with trash. I have again petitioned neighbors in the immediate vicinity to sign letters in support of me now closing off the other end of this alley.

I am now proposing to stop the illegal dumping by installing a gate directly behind the business that will extend the total length of the alley. If this is permissible by your Honorable Body, I will move expeditiously on implementing this solution to this illegal dumping problem. Thank you in for your time and consideration in this matter.

Sincerely,

Faris Orahm-Owner  
F&M Auto Sale Inc.,

313-372-9655



CITY OF DETROIT  
PLANNING AND DEVELOPMENT DEPARTMENT

34

**ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**

2300 CADILLAC TOWER  
DETROIT, MICHIGAN 48226  
PHONE 313-224-6380  
FAX 313-224-1639  
WWW.DETROITMI.GOV

February 6, 2009

Detroit City Council  
1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

**RE: Regarding Petition No. 3136, F & M Auto Sale Inc., requesting complete alley closure in area behind 13228 c. 8 Mile Rd., because of illegal dumping in area.**

Honorable City Council:

The Planning and Development Department (P&DD) is hereby responding to the above-referenced petition.

The petitioner, Mr. Faris Orah, owner of F & M Auto Sale Inc., alleges that the Honorable City Council granted him the closing of the east half of the E/W alley in 2008.

A review by P&DD staff on the subject alley has revealed that no portion of the E/W alley has been legally vacated. There is no evidence of a recorded resolution that necessitates a correction on the official City Maps and Records by the City Engineers Office.

Subsequently, working on the above-referenced Petition No.3136, the petitioner, now has the option of closing the entire T-shaped alley. The process will eliminate the nuisance that Mr. Orah has described in his letter and avoid the creation of a N/S dead end alley. However, in accord with Article VI, Section 50-6-1, Mr. Orah needs to submit the 100% consent from the impacted property owners as mandated by the City Code.

Although P&DD has no objection to this request, the Department of Public Works/City Engineering Division has jurisdiction over alleys with commercial interest and as such, will coordinate the various utility and city agency responses for their recommendation to your Honorable Body.

If there is any additional input that may be needed from our department regarding this matter, please contact our Technical Services Section at (313) 628-0112.

Respectfully submitted,  
  
Marja M. Winters  
Deputy Director

JS/LS/cdc  
Attachments

- cc: A. Robinson, Mayor's Office
- M. Todd, CPC
- J. Jacob, DPW/CED
- V. Upshaw, P&DD

2009 FEB 11 11:04 AM

RECEIVED  
CITY CLERK

ENTERED FEB 18 2009

Per BRC, refer to DPW  
line item in 300s.

ROAD

S. E. 1/4 SEC. 33  
N. E. 1/4 SEC. 2

E. 8 MILE

61.64  
20  
61.59  
22  
61.54  
20  
LOT 231

61.38  
284  
61.31  
20  
61.26  
286  
61.21  
61.15  
61.10  
288  
61.05  
290  
60.99  
60.94  
292  
60.89  
60.84  
294  
60.78  
60.73  
20  
60.67  
26.3  
LOT 296

60.51  
20  
349  
60.45  
25  
60.40  
20  
351  
60.35  
60.29  
25.3

32	40
34	"
36	"
38	"
40	"
42	40

60 FT. WD. JOANN

40	127.30	18	40
"	283		"
"	281		"
"	279		"
"	277		"
"	275		"
48	273	127.30	48

127	297	40
	299	"
	301	"
	303	"
	305	"
127	307	48

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40	348	12
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"	344	
"	342	
"	340	
48	338	

VE

COLLINGHAM

43  
40

40  
127.30  
18  
272

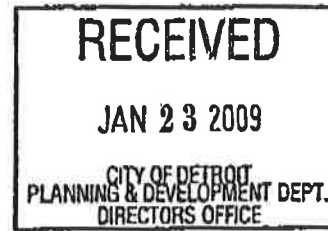
127  
308  
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City of Detroit  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

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**DEPARTMENTAL REFERENCE COMMUNICATION**

Friday, January 23, 2009

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From: Janice M. Winfrey, Detroit City Clerk

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PUBLIC WORKS DEPARTMENT ENVIRONMENTAL AFFAIRS DEPARTMENT  
PLANNING AND DEVELOPMENT DEPARTMENT

3136 F & M Auto Sale Inc., requesting complete alley closure in area behind 13228 E. 8 Mile Road because of illegal dumping in area.

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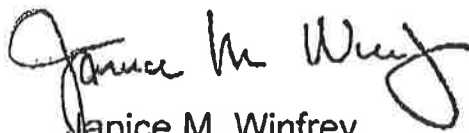
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City Clerk

JMW/sm

cc: Ms. Arese Robinson, Mayor's Office

Attachment

DETROIT  
CITY CLERK

9D

3134

2009 JAN 21 A 11:12

January 16, 2009

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2 Woodward  
200 CAYMC  
Detroit, MI 48205

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Faris Orahn-Owner  
F&M Auto Sale Inc.,

313-372-9655





34

February 6, 2009

Detroit City Council  
1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

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Respectfully submitted,  
*Marja M. Winters*  
Marja M. Winters  
Deputy Director

JS/LS/cdc  
Attachments

cc: A. Robinson, Mayor's Office  
M. Todd, CPC  
J. Jacob, DPW/CED  
V. Upshaw, P&DD

2009 FEB 11 A 11:04

DETROIT  
CITY CLERK

ENTERED FEB 18 2009

*Per BRC, refer to DPW  
line item in 3 wks.*

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IVE

COLLINGHAM

43	40
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40	127.30 272	18
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127	308	40
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40	33
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February 22, 2010

Honorable City Council:

RE: Petition No. 3136 – F & M Auto Sale Inc., requesting alley closure in the area behind 13228 E. Eight Mile Road because of illegal dumping and break-ins in the area.

Petition No. 3136 of “F & M Auto Sale Inc.” whose address is 13228 East Eight Mile, Detroit, request permission to temporary close the North – South and the westerly portion of the east – west public alleys 18 and 20 feet wide in the block bounded by East Eight Mile Road, 204 feet wide, Collingham Drive, 60 feet wide, Joann Avenue, 60 feet wide, and Alcoy Avenue, 60 feet wide. This request is need to provide more security to my business and stop the illegal dumping behind my property.

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

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.

You will find attached an appropriate resolution, for your Honorable Body’s consideration, authorizing the City Engineering Division – DPW to issue permits to close said North – South and the westerly portion of the east – west public alleys 18 and 20 feet wide, on a temporary basis (for a period of five (5) years) to expire on March 19, 2015.

Respectfully submitted,



Manilal Patel, Interim City Engineer  
City Engineering Division – DPW

Cc: Alfred Jordan, Director – DPW  
Mayor’s Office City Council Liaison

BY COUNCIL MEMBER \_\_\_\_\_

The City Engineering Division – DPW is hereby authorized and directed to issue permits to “F & M Auto Sale Inc” whose address is 13228 East Eight Mile, Detroit, MI to close the North – South and the westerly portion of the east – west public alleys 18 and 20 feet wide, described as lying Northerly of and abutting the North line of Lot 283 and lying Southerly of and abutting the South line of Lots 284 through 290, both inclusive, all in the “Waltham Manor Subdivision” of the West  $\frac{3}{4}$  of North  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  of Section 2, T.1S.,R.12E., City of Detroit, Wayne County, Michigan as recorded in Liber 54 Page 55, Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on March 19, 2015;

Also, all that part of the North – South public alley, 18 feet wide, lying Easterly of and abutting the East line of Lots 273 through 283, both inclusive, and lying Westerly of and abutting the West line of Lots 297 through 307, both inclusive, all in the “Waltham Manor Subdivision” of the West  $\frac{3}{4}$  of North  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  of Section 2, T.1S.,R.12E., City of Detroit, Wayne County, Michigan as recorded in Liber 54 Page 55, Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on March 19, 2015;

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 alley closing; and

PROVIDED, that access gates are installed, and ingress/egress is provided and maintained for all property owners and businesses adjacent to or directly impacted by said closure. The TED also requires that the petitioner contact the Operations Section of TED for deploying proper signage barricades and detour routes during the closure period (if necessary); and

PROVIDED, that the petitioner, all other property owners and business owners adjacent to or directly impacted by said closure is still responsible for the maintenance and/or upkeep of that portion of the public alley that abuts his/her property; and further

PROVIDED, No buildings or other structures of any nature whatsoever (except necessary barricades), 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 rights-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, All of the petitioner's public property fence, gate and barricade installations shall be subject to the review and approval of the City Engineering Division – DPW (if necessary, in conjunction with the Traffic Engineering Division – DPW, and the Planning and Development Department); 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 berm area is prohibited; 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, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

PROVIDED, This resolution is revocable at the will, whim or caprices 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, 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.

PETITION NO. 3136  
 F&M AUTO SALE INC.  
 13228 E. EIGHT MILE RD.  
 c/o FARIS ORAHA  
 PHONE NO. 313-372-9655

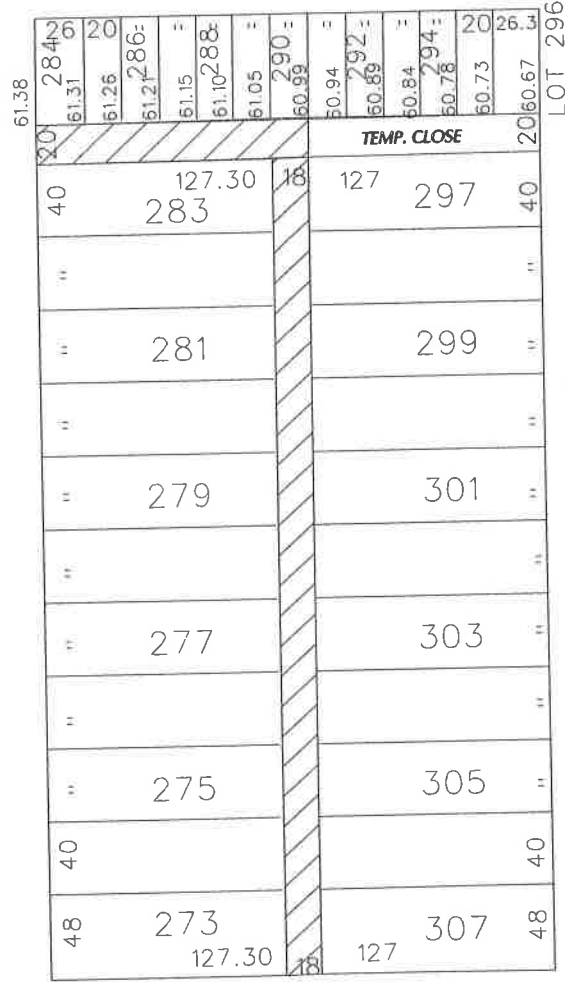


REVISED!!!!

E. EIGHT MILE ROAD 204 FT. WD.

JOANN 60 FT. WD.

ALCOY 60 FT. WD.



COLLINGHAM DR. 60 FT. WD.

 - TEMPORARY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 94 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP		CHECKED		
DATE	4-1-09		APPROVED		

REQUESTED TEMPORARY CLOSURE OF THE EAST/WEST AND NORTH/SOUTH PUBLIC ALLEY, 20 FT. WD. IN THE BLK. BND. BY E. EIGHT MILE, COLLINGHAM, JOANN AND ALCOY.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x3136.dgn