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**FAX TRANSMITTAL**

**Office of the City Clerk**

Coleman A Young Municipal Center  
Two Woodward Avenue, Suite 200  
Detroit, Michigan 48226  
Telephone: (313) 224-2070 Fax: (313) 224-2076

Monday, June 09, 2014

No. of Pages 5

**FROM:** Mr. Andre Gilbert II, Junior Assistant City Council Committee Clerk

**SUBJECT:** Petition #289, Kean's Detroit Yacht Harbor, Inc., request an extension of the variance and/or easement for 100 Meadowbrook St.

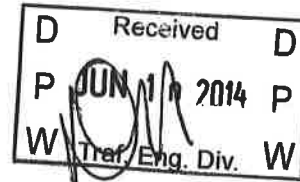
Temp Close

**FAX TO THE FOLLOWING DEPARTMENT(S):**

Mr. Richard Doherty, City Engineer

DPW - City Engineering Division

(313) 224-1464



Attachment

6/16

**City of Detroit**  
**OFFICE OF THE CITY CLERK**

*Janice M. Winfrey*  
*City Clerk*

*Robin R. Underwood, CMC*  
*Deputy City Clerk*

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Monday, June 09, 2014*

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

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

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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.

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**DPW - CITY ENGINEERING DIVISION**

**289** *Kean's Detroit Yacht Harbor, Inc., request an extension of the variance and/or easement for 100 Meadowbrook St.*



#289

May 28, 2014

The Honorable City Council  
 Attn: Office of the City Clerk  
 200 Coleman A. Young Municipal Center  
 Detroit, MI 48226

Honorable Council Members

Kean's Detroit Yacht Harbor, Inc. located at 100 Meadowbrook has been a Detroit based business since 1931.

A variance/easement was obtained in 1993 to keep an old alley closed which became a driveway for the marina.

Attached are the documents that show the City Council, Department of Engineering, facts, rulings, and site plan.

The old alley is not relevant since new businesses have occupied both sides of the old existing alley. There is no reason to keep the alley open to the public since the homes and plats are gone that justified the original alley.

Therefore, we request an extension of the variance and/or easement and find the same facts as the Honorable Council and The City Engineering Department of Detroit did in 1993 to be the same.

Respectfully submitted,

Michael S. Litt Esq.  
 COO and In House Council  
 Kean's Detroit Yacht Harbor, Inc.  
 100 Meadowbrook St.  
 Detroit, MI 48214

DETROIT  
 CITY CLERK  
 MAY 30 P 2:11

27

City Engineering Department  
September 18, 1993

Honorable City Council:  
Re: Petition No. 3188, Kean's Detroit  
Yacht Harbor and Marina, Temporary  
Street Closing, Meadowbrook,  
South of Fraud

Petition No. 3188 of "Kean's Detroit  
Yacht Harbor and Marina" requests the  
temporary closing of Meadowbrook Avenue,  
25 feet wide, south of Fraud Avenue  
(60 feet wide).

The request was approved by the  
Department of Public Works — Traffic  
Engineering Division and the Community  
and Economic Development Department  
with certain restrictions.

The Detroit Edison Company, Michigan  
Bell Telephone Company, Michigan  
Consolidated Gas Company, and the  
Water and Sewerage Department (all)  
will require unimpeded access to service  
their existing facilities. Any fence and  
gate installation must provide 13 feet  
horizontal and 15 feet vertical clearance(s)  
for utility maintenance vehicles.

All other City departments and  
privately owned utility companies have  
reported no objections to the closing,  
provided they have the right to ingress  
and egress at all times to their facilities.

An appropriate resolution, containing  
the necessary conditions, is attached for  
consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS,

Director

By Council Member Kelley:

Resolved, The City Engineering  
Department is hereby authorized and  
directed to issue permits to "Kean's  
Detroit Yacht Harbor and Marina" to  
close Meadowbrook Avenue, 25 feet  
wide, south of Fraud Avenue (60 feet  
wide) lying westerly of and abutting the  
west line of the south 31.21 feet of Lot  
35, and Lots 36 thru 44 of "Walter C.  
Maek's Subdivision of a part of the  
Westerly Third of the East Half of that  
part of Private Claim 387, lying Southerly  
of Jefferson Avenue," City of Detroit,  
Wayne County, Michigan as recorded in  
Liber 28, Page 11, Plans, Wayne County  
Records; on a temporary basis to expire  
on November 1, 1998;

Provided, The petitioner shall file with  
the Finance Department 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 permit shall be issued  
after the City Clerk has recorded a certified  
copy of this resolution with the  
Wayne County Register of Deeds; 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, No building or other structure  
(except necessary line fence), shall  
be constructed on or over the street. The  
petitioner shall observe the rules and  
regulations of the City Engineering  
Department. The City of Detroit retains  
all rights and interests in the temporarily  
closed public street. The City and all utility  
companies retain their rights to service,  
inspect, maintain, repair, install,  
remove or replace utilities in the temporarily  
closed public street. Further, the  
petitioner shall comply with all specific  
conditions imposed to insure unimpeded  
24-hour-per-day access to the City and  
utility companies; and

Provided, All of the petitioner's public  
property fence and gate installation(s)  
shall be subject to the review and  
approval of the City Engineering Department  
(if necessary, in conjunction with  
the Department of Public Works —  
Traffic Engineering Division, Planning  
Department, and the Community and  
Economic Development Department);  
and

Provided, The petitioner's fence and  
gate installation shall provide 13 feet  
horizontal and 15 feet vertical clearance(s)  
for utility maintenance vehicles; and

Provided, This resolution does not permit  
the storage of materials, display of  
merchandise, or signs within the temporarily  
closed public street. 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  
Department by the petitioner at the  
petitioner's expense; and

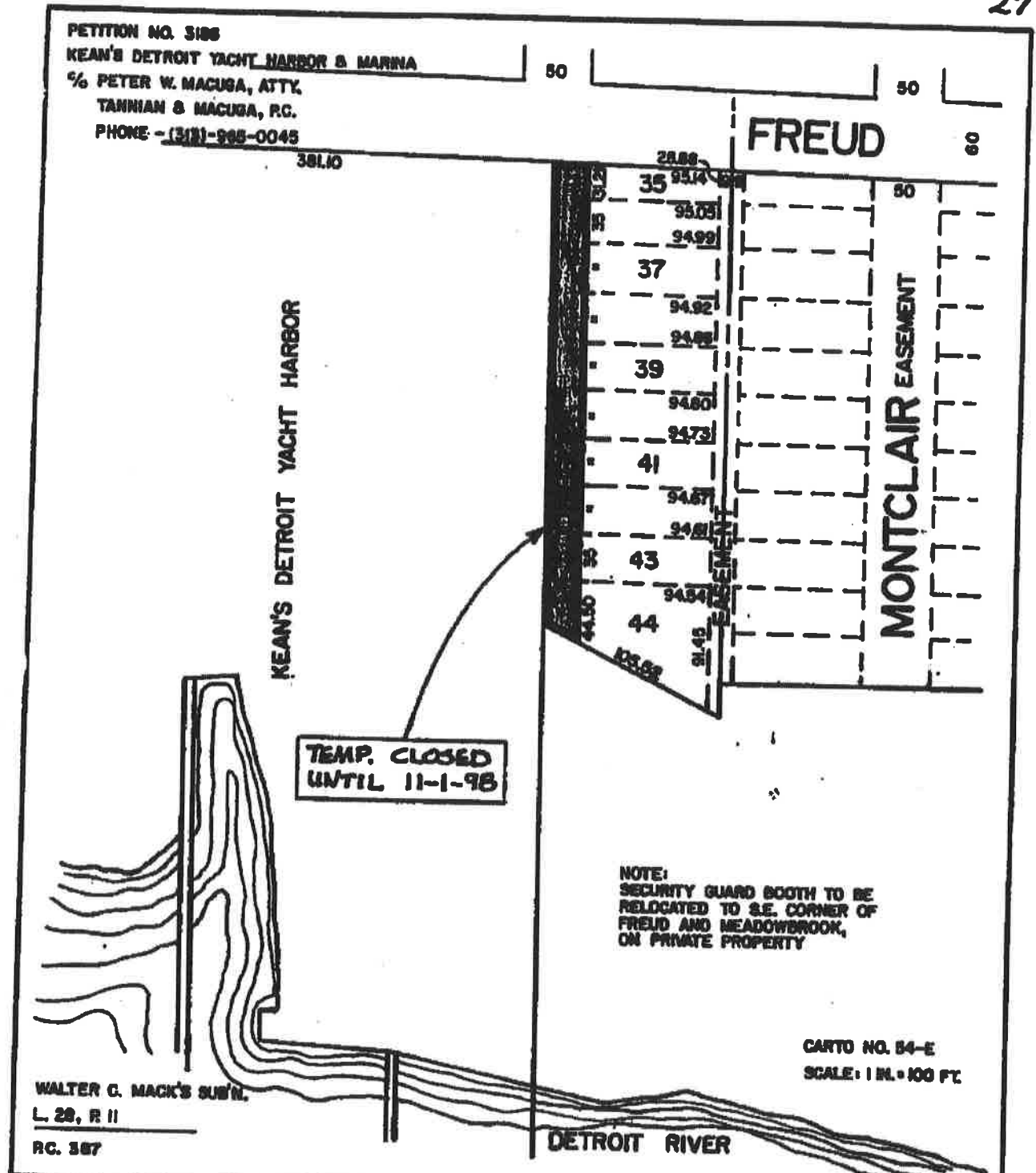
Provided, This resolution is revocable  
at the will, whim or caprice of the City  
Council without cause. The petitioner  
waives the right to claim damages or  
compensation for removal of attachments.  
Further, the permittee acquires  
no implied or other privileges hereunder  
not expressly stated 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 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 Butler,  
Cleveland, Eberhard, Hill, Hood, Kelley,  
Ravitz, and President Mahaffey — 8.  
Nays — None.

Nov. 10, 1993  
J.C.C. Pgs. 2274-75



| DESCRIPTION | DRWN     | CHKD | APPR | DATE |
|-------------|----------|------|------|------|
| REVISIONS   |          |      |      |      |
| DRAWN BY    | APPROVED |      |      |      |
| TRACED BY   | APPROVED |      |      |      |
| CHECKED     | APPROVED |      |      |      |

REQUESTED TEMP. CLOSING OF MEADOWBROOK AVE., SOUTH OF FREUD, FOR A FIVE YEAR PERIOD

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 JOB NO. 01-01  
 DRWG. NO. X-3188  
 DATE 6-9-08