



CITY OF DETROIT
CITY ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

COLEMAN A YOUNG MUNICIPAL CENTER
SUITE 601
TWO WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3473
PHONE 313 • 224 • 3949
FAX 313 • 224 • 3471

March 9, 2015

Honorable City Council:

RE: Petition # 362, John T. Dikho, request to install (2) 8' gate fence at the entrance of Ashton street alley to the end of the 18201 building

Petition No. 362, of John T. Dikho for the temporary closing of the east-west public alley, 18 feet wide, in the block of Whitlock Avenue, 60 feet wide, Warren Avenue, 110 feet wide, Rosemont Avenue, 50 feet wide and Ashton Avenue, 50 feet wide.

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

This request is being made to provide security in the rear of the existing Warren Tire Shop and to prevent criminal activity in the alley.

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 a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,


Richard Doherty, P.E., City Engineer
City Engineering Division – DPW

/JMK

Cc: Ron Brundidge, Director – DPW
Mayor's Office – City Council Liaison

Michael Duggan. MAYOR

BY COUNCIL MEMBER _____

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue a permit to John T. Dikho or his assigns to temporary close the east-west public alley, 18 feet wide, in the block of Whitlock Avenue, 60 feet wide, Warren Avenue, 110 feet wide, Rosemont Avenue, 50 feet wide and Ashton Avenue, 50 feet wide; and described as land in the City of Detroit, Wayne County, Michigan being the public alley, 18 feet wide, lying north of and adjoining the north line of Lots 91 and 99, and lying south of and adjoining the south line of Lots 92 through 98, both inclusive “Frischkorn’s Warren Ave. Park being a subdivision of part of the NE1/4 of Section 11, T.2S.,R.10E. Dearborn Township” as recorded in Liber 39, Page 99 of Plats, Wayne County Records; on a temporary basis for five (5) years to expire April 1, 2020;

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

PROVIDED, That 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 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 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, That 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, That 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 abutting property owners to said temporary closed alley, 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 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, 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.

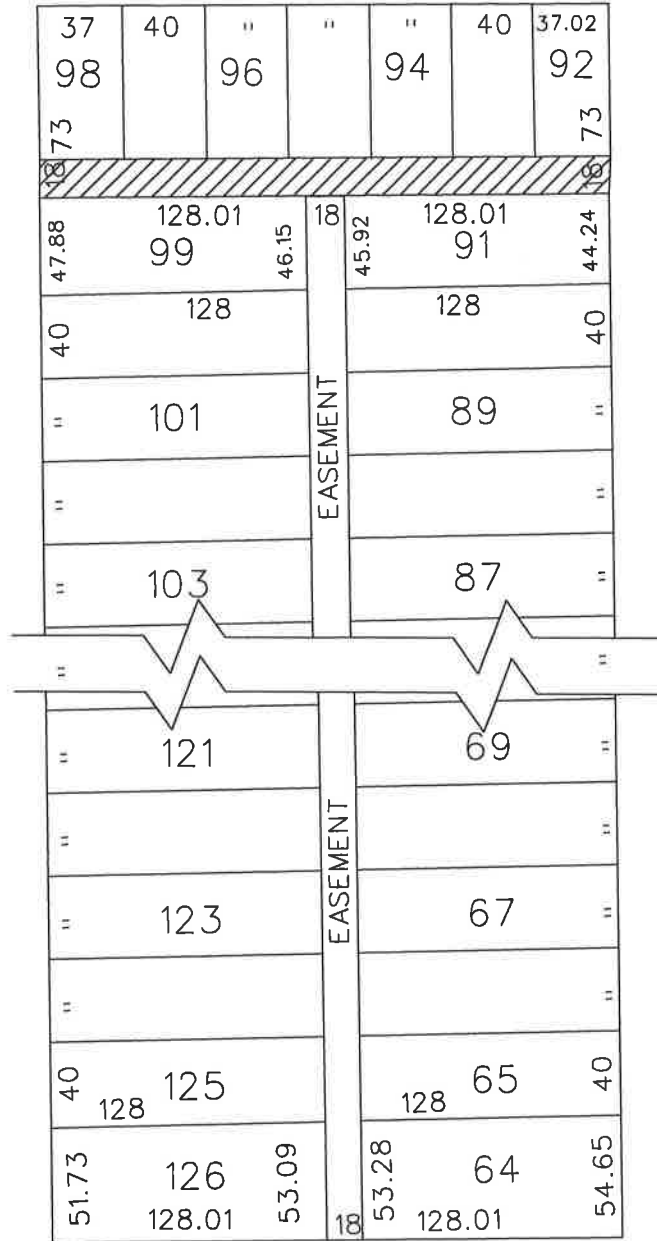
PETITION NO. 362
 JOHN T. DIKHO
 25245 FIVE MILE RD. SUITE 1 WEST
 REDFORD, MICHIGAN 48239
 C/O JOHN T. DIKHO
 PHONE NO. 313 864-2075



WARREN W. AVE. 110 FT. WD.

ROSEMONT AVE. 50 FT. WD.

ASHTON AVE. 50 FT. WD.



WHITLOCK AVE. 60 FT. WD.



- REQUESTED TEMPORARY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 98 C

B					
A	JK	MARCH 2015			
	DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS					
	DRAWN BY	CHECKED			
	DATE	APPROVED			
	08-06-14				

REQUEST TO TEMPORARY CLOSE THE
 EAST/WEST PUBLIC ALLEY, 18 FT. WD.
 IN THE BLOCK BOUND BY
 ASHTON, WHITLOCK, ROSEMONT
 AND WARREN W. AVE.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 362