

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Andre P. Gilbert II
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, August 26, 2019

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.

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT

1054 *Wyoming-Ellsworth, LLC, request to vacate existing encroachments of Paving Improvements into Public R.O.W. located adjacent to property at 15100 Wyoming Street, Detroit, Mi 48238.*

Peter I. Tzilos | Architects Planners

18277 Filmore, Livonia, Michigan 48152

Office: (248) 442 1340 Fax: (248) 442 1341 Mobile: (248) 249-4420
E-mail: petertzilos@yahoo.com

23 August 2019

PETITION to Detroit City Council
Request to Vacate Existing Encroachments of Paving Improvements into Public R.O.W.
Property Address: 15100 Wyoming Street, Detroit, MI. 48238
Detroit Zoning Department Reference PIN: 16037449-53

Property Owner:
Wyoming-Ellsworth, LLC
C/O
Peter I. Tzilos, Architect
18277 Filmore St., Livonia, Michigan 48152
Email: petertzilos@yahoo.com
Cell: 248-249-4420 Office: 248-442-1340 Fax: 248-442-1341

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

Honorable Council Members,

I write to petition the Council, requesting that certain paving Improvements (concrete and/or asphalt) that are reflected on the Alta Survey of the property captioned above (15100 Wyoming St.) be recorded, and the Right of Way be vacated accordingly.

Reference is made to a certain letter as prepared by Ms. Jayda Philson, Zoning Manager, city of Detroit, (enclosed with this petition), which details the nature and scope of the property and the noted encroachments.

A copy of the referenced Survey is also attached to this Petition.

We stand ready to provide any additional information that may be required to complete the requested appropriate recording of the encroachments, and vacating of the R.O.W.

Respectfully submitted,


Peter I. Tzilos, Architect
For, Wyoming-Ellsworth, LLC



CITY OF DETROIT
BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, FOURTH FLOOR
DETROIT, MICHIGAN 48226
(313) 224-2733 • TTY:711
WWW.DETROITMI.GOV

August 21, 2019

Academy Bank, N.A.
c/o Jay Shadwick
9101 W. 110th Street, Suite 200
Overland Park, KS 66210

RE: 15100 Wyoming Street
PIN: 16037449-53

To the Attention of Jay Shadwick:

Pursuant to your request for zoning verification of the above referenced property, we have reviewed our records and find that it is located in a B2 (Local Business and Residential District) zoning district.

The current legal, conforming use of the above stated property is 'Retail with Accessory Parking' per building permit BLD2018-04382 issued June 27, 2018 with a Certificate of Occupancy on February 8, 2019. An accessory parking lot located at 8721 Ellsworth was established via Special Land Use Grant #92-17 dated October 23, 2017 and Board of Zoning Appeals Grant #114-17 recorded March 14, 2018 at the Wayne County Register of Deeds. The continued use of this property is permitted by-right per Section 61-9-36 of the Detroit Zoning Ordinance, subject to compliance with all relevant codes and ordinances. Building permits must be obtained for any change of use or construction.

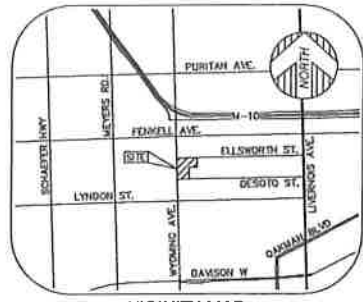
The surveyor observed potential encroaches into the right-of-way. There is no record for a vacation or encroachment filed. If maintaining the existing building, these encroachments can remain. If the property owner would like these encroachments to be on record with the City, a petition can be filed with City Council to vacate the right-of-way. The setback standards, seen in Section 61-13-23, is attached with this letter.

If you have any questions, please contact our Zoning Division at (313) 224-1317 or zoning@detroitmi.gov.

Sincerely,

Jayda Philson
Zoning Manager
JP/EL/Revision: ED

VER2019-00267



VICINITY MAP
(NOT TO SCALE)

PARKING
NO VISIBLE MARKED PARKING STALLS ON SITE

PARCEL AREA
PARCEL 1: 21,393± SQUARE FEET = 0.491± ACRES
PARCEL 2: 5,998± SQUARE FEET = 0.138± ACRES
TOTAL : 27,391± SQUARE FEET = 0.629± ACRES

BASIS OF BEARING
NORTH 00°15'00" WEST, BEING THE RIGHT OF WAY LINE OF WYOMING ROAD AS PLATTED

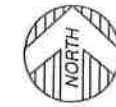
FLOOD NOTE
SUBJECT PARCEL LIES WITHIN:
OTHER AREA (ZONE X): AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
AS SHOWN ON FLOOD INSURANCE RATE MAP: MAP NUMBER 26163C0100E, COMMUNITY - PANEL NUMBER 260222 0100 E, DATED FEBRUARY 2, 2012, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONING REGULATIONS
R1 - RESIDENTIAL DISTRICT
*REQUIRED SETBACK LINE MINIMUM DIMENSIONS IN FEET -
FRONT - 20 FEET
LEAST ONE SIDE - 4 FEET
TOTAL TWO SIDES - 14 FEET
REAR - 30 FEET
*MAXIMUM HEIGHT IN FEET - 30 FEET
B2 - LOCAL BUSINESS AND RESIDENTIAL DISTRICT
*REQUIRED SETBACK LINE MINIMUM DIMENSIONS IN FEET -
FRONT - 20 FEET
ONE SIDE - LENGTH(FEET) + 2(HIGHT)/15
REAR - 30 FEET
*MAXIMUM HEIGHT IN FEET - 35 FEET
NOTE: ALL ZONING INFORMATION IS TAKEN FROM THE CITY OF DETROIT WEBSITE. ALL ZONING INFORMATION MUST BE VERIFIED FOR COMPLETENESS WITH CURRENT ZONING REGULATIONS.

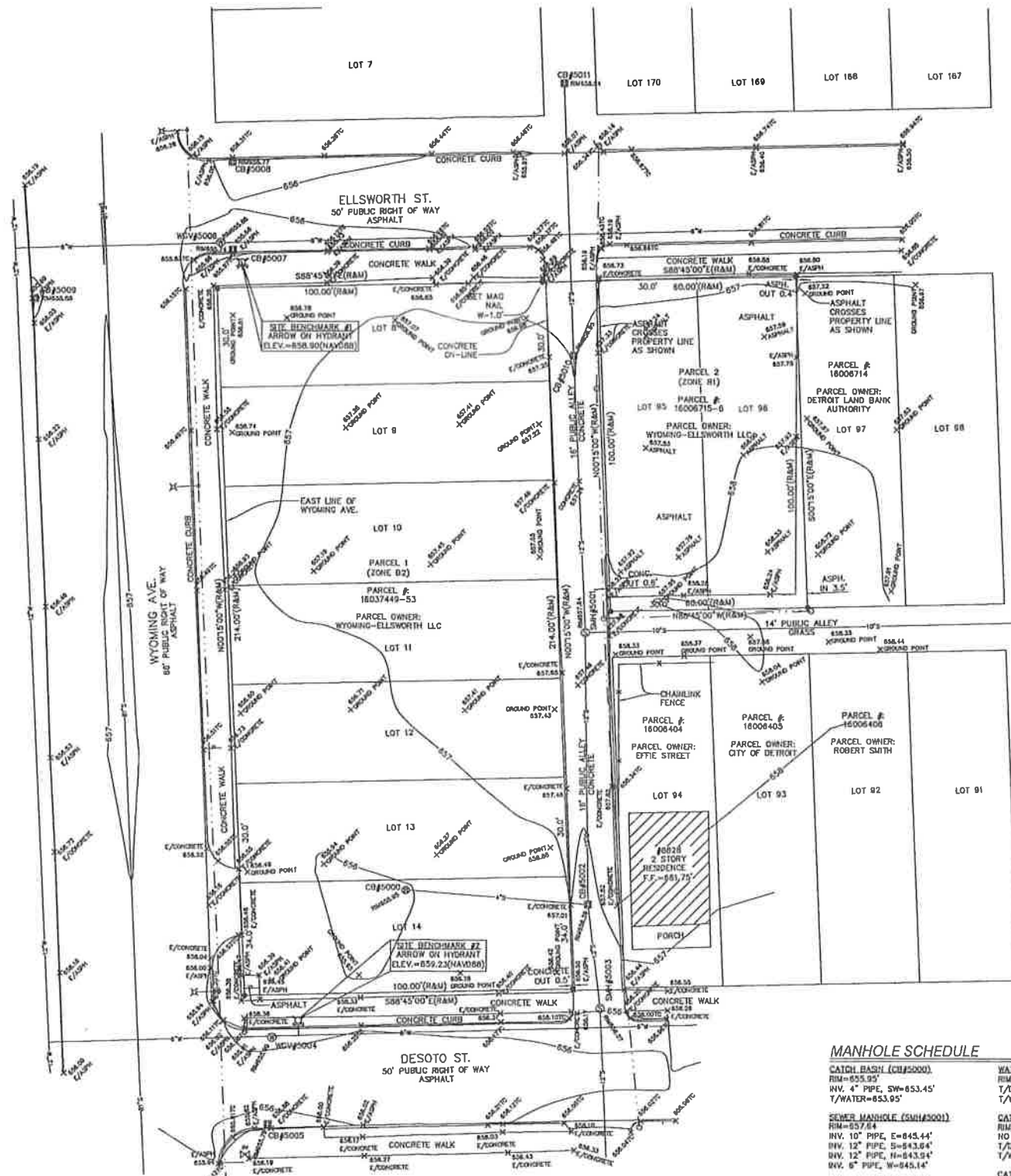
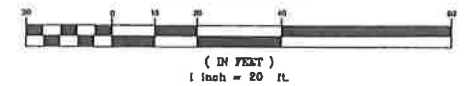
LEGEND

●	SET 1/2" REBAR WITH CAP P.S. 32341
○	FOUND MONUMENT (AS NOTED)
(R&M)	RECORD AND MEASURED DIMENSION
(R)	RECORD DIMENSION
(M)	MEASURED DIMENSION
x000.00	ELEVATION
○	UTILITY POLE
○	LIGHT POLE WITH STREET LAMP
○	SEWER MANHOLE
□	SQUARE CATCH BASIN
○	FIRE HYDRANT
○	GAS VALVE
○	WATER GATE MANHOLE
○	SINGLE POST SIGN
---	PARCEL BOUNDARY LINE
---	PLATTED LOT LINE
---	SECTION LINE
---	BUILDING
---	BUILDING HATCH
---	CONCRETE CURB
---	EDGE OF CONCRETE (CONC.)
---	EDGE OF ASPHALT (ASPH.)
x	FENCE (AS NOTED)
---	OVERHEAD UTILITY LINE
S	SEWER LINE
W	WATER LINE
---	CONTOUR MAJOR
---	CONTOUR MINOR

ALTA/NSPS LAND TITLE SURVEY



GRAPHIC SCALE



PROPERTY DESCRIPTION
PARCEL 1:
LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN:
LOTS 8, 9, 10, 11, 12, 13 AND 14, LEY'S SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 15, PAGE 71 OF PLATS, WAYNE COUNTY RECORDS.
PARCEL 2:
LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN:
LOTS 95 AND 98, LEY'S SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 15, PAGE 71 OF PLATS, WAYNE COUNTY RECORDS.

TITLE REPORT NOTE
ONLY THOSE EXCEPTIONS CONTAINED WITHIN THE STEWART TITLE GUARANTY COMPANY FILE NO. 16000035810, DATED OCTOBER 19, 2016, AND RE-LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.
NO SPECIFIC EASEMENTS LISTED

SURVEYOR'S NOTES
1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.
2. THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING CONDITIONS.
3. THE SURVEYOR IS UNAWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
4. THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
5. THERE ARE NO DELIMITED WETLANDS ON SITE.
6. THERE ARE NO BUILDINGS ON SITE.

SURVEYOR'S CERTIFICATION
TO STEWART TITLE GUARANTY COMPANY AND WYOMING-ELLSWORTH, LLC, A MICHIGAN LIMITED LIABILITY COMPANY:
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MICHIGAN STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7B1, 7C, 8, 9, 11, 13, 14, 16, 17, 18, 19 AND 20 OF TABLE A, THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 4, 2017.
DATE OF PLAT OR MAP: APRIL 14, 2017

THOMAS G. SMITH, P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 32341

MANHOLE SCHEDULE

CATCH BASIN (CB#5000) RM=852.95' INV. 4" PIPE, SW=853.45' T/WATER=853.95'	WATER GATE VALVE (WGV#5000) RM=852.54' T/DRT=851.54' T/WATER=853.04'
SEWER MANHOLE (SMH#5001) RM=857.84' INV. 10" PIPE, E=845.44' INV. 12" PIPE, S=843.04' INV. 12" PIPE, N=843.04' INV. 6" PIPE, W=845.14'	CATCH BASIN (CB#5007) RM=852.74' NO VISIBLE PIPES T/DRT=851.74' T/WATER=853.04'
CATCH BASIN (CB#5002) RM=856.59' T/DRT=854.69'	CATCH BASIN (CB#5008) RM=855.77' NO VISIBLE PIPES T/DRT=852.77' T/WATER=852.87'
SEWER MANHOLE (SMH#5003) RM=858.07' INV. 12" PIPE, N=844.07' INV. 12" PIPE, S=844.07'	CATCH BASIN (CB#5009) RM=855.88' T/DRT=852.18' T/WATER=852.88'
WATER GATE VALVE (WGV#5004) RM=855.99' NO VISIBLE PIPES T/DRT=851.99' T/WATER=852.99'	CATCH BASIN (CB#5010) RM=856.95' NO VISIBLE PIPES T/DRT=851.29' T/WATER=851.45'
CATCH BASIN (CB#5005) RM=855.79' NO VISIBLE PIPES T/DRT=851.79' T/WATER=852.29'	CATCH BASIN (CB#5011) RM=856.54' NO VISIBLE PIPES T/DRT=854.04'

KEM-TEC & ASSOCIATES
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
22558 ORAOT AVENUE • EASTROVITE, MICHIGAN 48021
(566)772-2222 • (566)725-7222 • FAX (566)772-4048

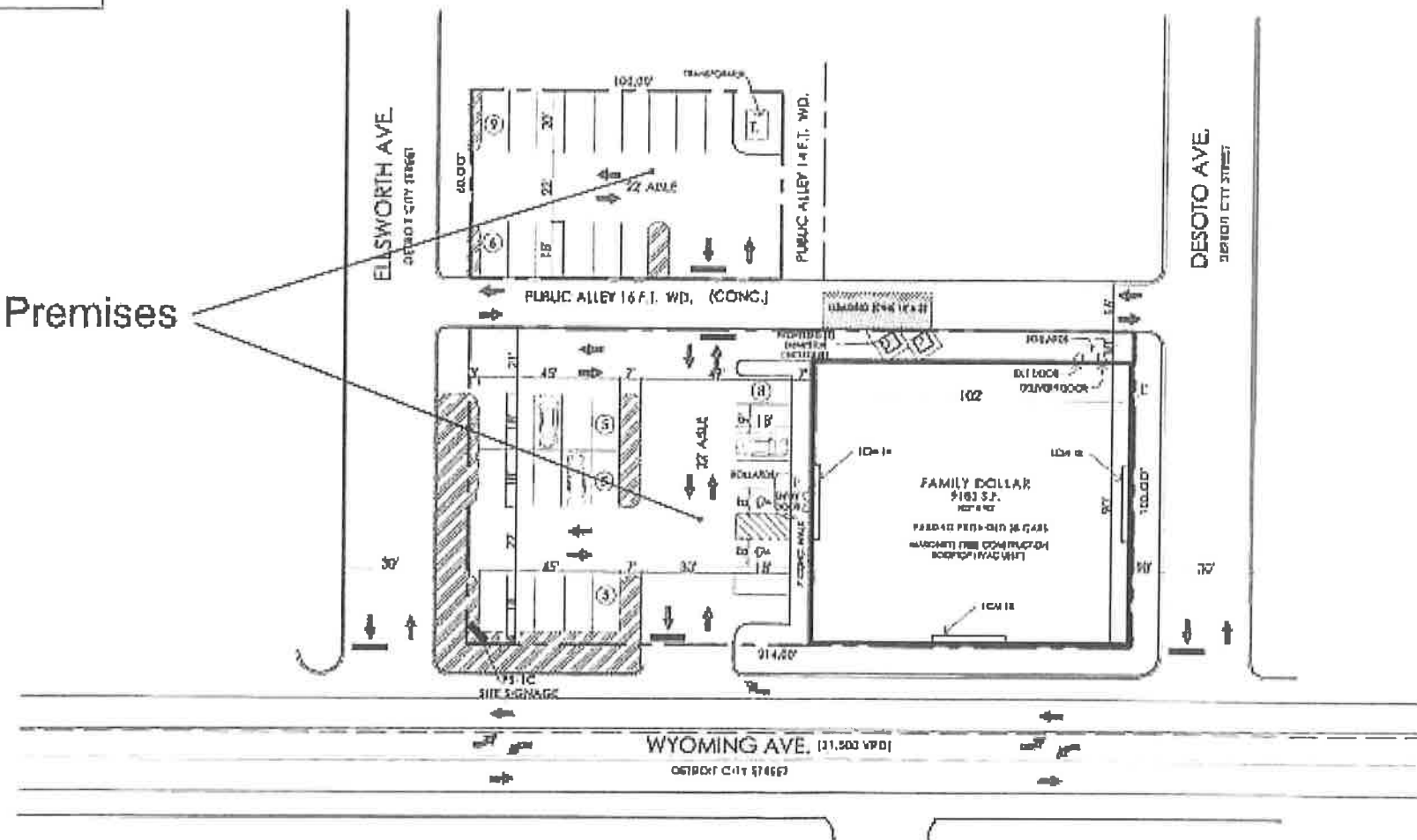
PREPARED FOR: NATIONAL RETAIL DEVELOPMENT, LLC	JOB #: 17-01147
DATE: APRIL 14, 2017	SHEET: 1 OF 1
SCALE: 1" = 20'	REV:
DRAWN BY: DLD NS	

FAMILY DOLLAR

EXHIBIT A - SITE PLAN

715681
 Detroit, MI
 Approved
 SKC
 11.10.16

Demised Premises



CONCEPTUAL SITE PLAN


 THE
 RON JONA
 COLLABORATIVE
 184 COBURN ST. # 100
 DETROIT, MI 48226
 C. RON JONA P. 313.797.7000
 WWW.RONJONA.COM


 ARCHITECTURE
 INTERIORS
 PLANNING
 ARMO DESIGN GROUP, INC.
 C. JOEY ARMO P. 313.797.7000
 WWW.ARMOGROUP.COM

PROJECT:
 FAMILY DOLLAR
 STORE NO. 4888
 PREPARED & DESIGNED BY:
 DETROIT, MICHIGAN

SHEET TITLE:
 CONCEPTUAL SITE
 PLAN

DO NOT SCALE OR REUSE
 USE 1/8" = 1'-0" UNLESS OTHERWISE NOTED

DATE: ISSUE:
 11/23/16 102716

DIRECTOR:
 102716

SCALE NO.:
 CSP

2019-08-26

1054

1054 *Petition of Wyoming-Ellsworth, LLC, request to vacate existing encroachments of Paving Improvements into Public R.O.W. located adjacent to property at 15100 Wyoming Street, Detroit, Mi 48238.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT