



## CITY COUNCIL AGENDA ITEM

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Date: January 18, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development  
R. Brent Savidant, Planning Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING (FEBRUARY 8, 2016) - STREET VACATION REQUEST (SV 191) – Alley east of John R between Gabriel and Vermont, Abutting parcel 2020 Gabriel on the East and Vacant Parcel 88-20-25-309-002 on the West, Section 25, Currently Zoned R-1E (One Family Residential) District (abutting properties)

The applicant, Naveed V. Syed, seeks vacation of a section of alley approximately 10 feet wide by 40 feet long. The applicant owns the parcel that abuts the alley to the west (Tax ID# 88-20-25-309-002). The application states that alley vacation will allow for construction of a single family home with a larger building footprint.

The alley is in Sussex Park Subdivision, which was platted in 1925. Most of the 20-foot wide alley has been vacated since 1925. There are some 10-foot wide and 20-foot wide segments remaining. This application is consistent with previous efforts to vacate sections of the alley.

There is an 8-inch underground sanitary sewer line in the alley as well as overhead utilities. An easement must be maintained for both underground and overhead utilities. No buildings or structures will be permitted to be constructed within this easement.

The Planning Commission held a public hearing on this item on December 22, 2015 and recommended approval of the application by a 7-0 vote.

The attached Planning Commission item provides additional background. A City Council public hearing has been scheduled for February 8, 2016.

### Attachments:

1. Agenda item from December 22, 2015 Planning Commission Regular meeting
2. Minutes from December 22, 2015 Planning Commission meeting (excerpt)

DATE: December 14, 2015

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PUBLIC HEARING - STREET VACATION REQUEST (SV 191) – Alley east of John R between Gabriel and Vermont, Abutting parcel 2020 Gabriel on the East and Vacant Parcel 88-20-25-309-002 on the West, Section 25, Currently Zoned R-1E (One Family Residential) District (abutting properties)

## **GENERAL INFORMATION**

### Name of applicant(s):

The applicant is Naveed V Syed, owner of the vacant parcel abutting the alley on the west (Tax ID# 88-20-25-309-002).

### History of Right of Way:

Sussex Park Subdivision was platted in 1925. Most of the 20-foot wide alley has been vacated since 1925. There are some 10-foot wide and 20-foot wide segments remaining. This application is consistent with previous efforts to vacate sections of the alley.

### Length and width of right of way.

The section of the alley proposed to be vacated is 40 feet long by 10 feet wide. The applicant proposes to vacate only half of the alley, for the purpose of expanding the building envelope for a single family home.

## **ANALYSIS**

### Reason for street vacation (as stated on the Street/Alley Vacation Application):

The application states the following:

“We want to build a house but the size is very small, if we get 10 feet from the alley we will be able to build at least 25’X50’ instead of 25’X40’.”

### Impact on access to existing lots or buildings (including emergency service vehicles):

Access to abutting properties will not be affected by vacation of this portion of the alley.

### Impact on Utilities

There is an 8-inch underground sanitary sewer line within the alley, as well as overhead utilities. An easement must be maintained for the underground and overhead utilities. Furthermore, no buildings or structures may be constructed within the easement.

### Future Land Use Designation:

The area is designated on the Future Land Use Plan as Single Family Residential.

## **CITY MANAGEMENT RECOMMENDATION**

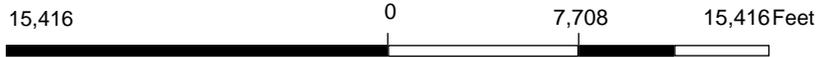
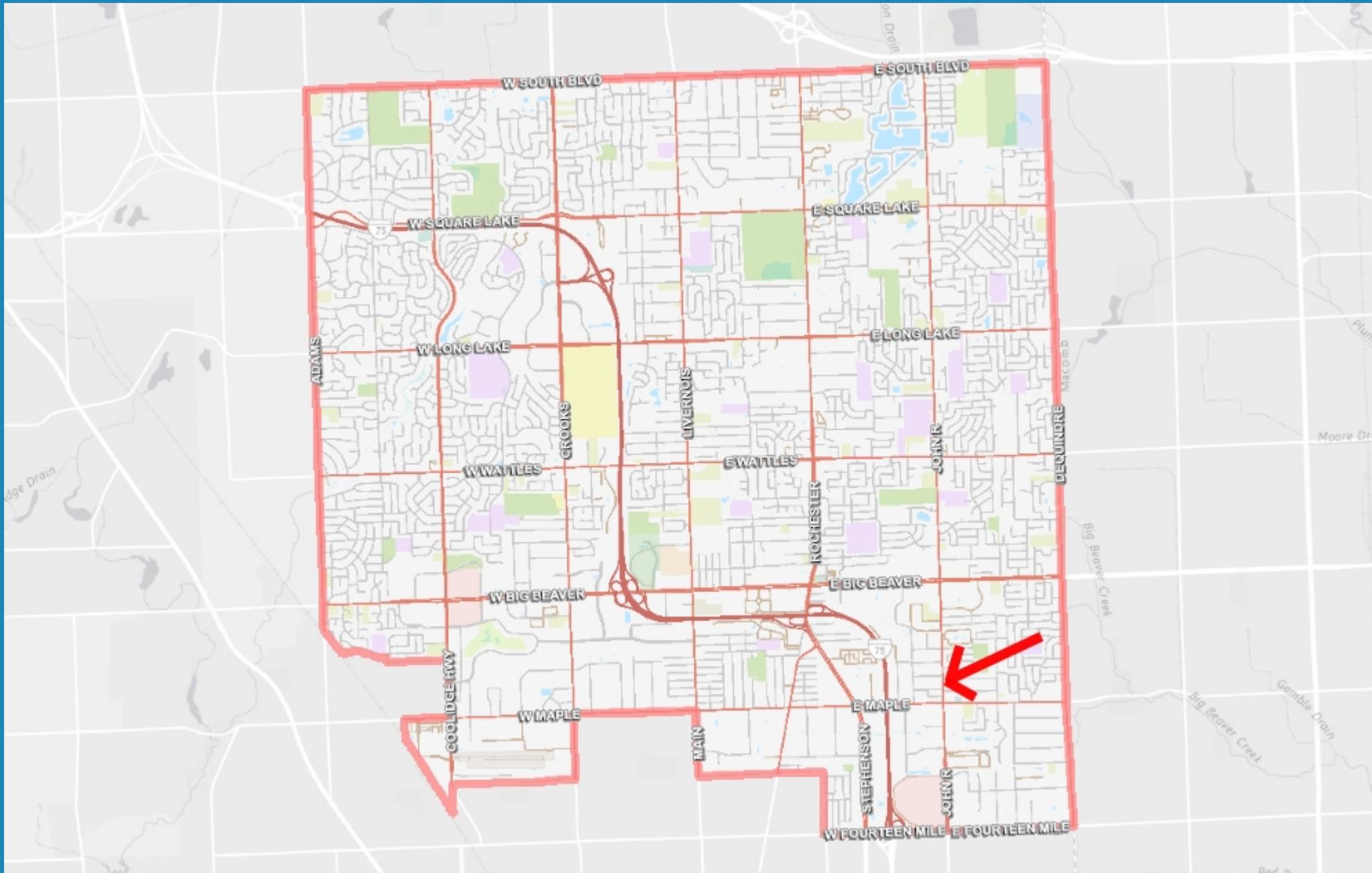
City Management recommends approval of the street vacation request as submitted, subject to the following:

1. An easement shall be maintained for overhead and underground utilities.
2. No structures or buildings shall be constructed within the easement.

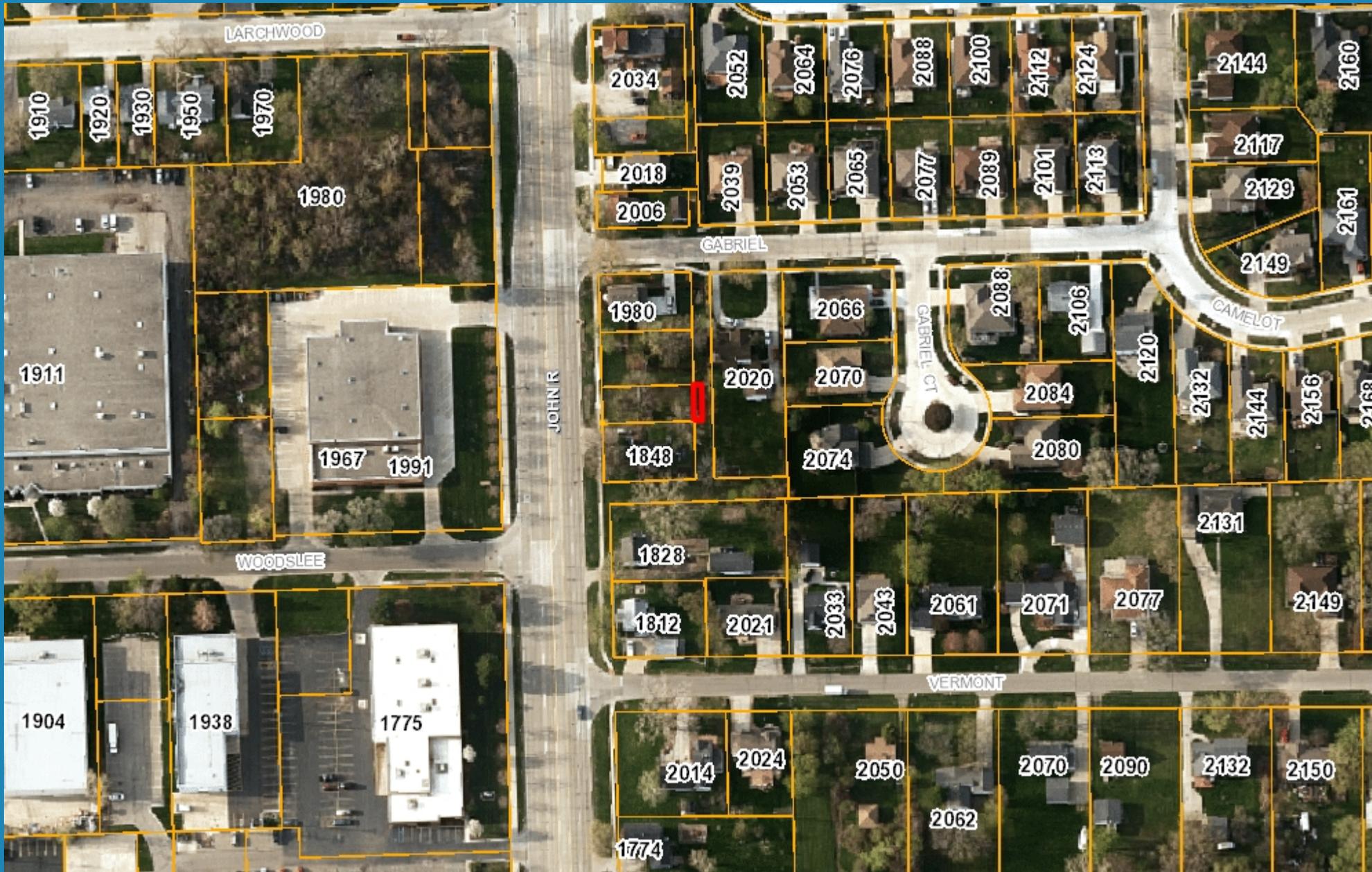
### Attachments:

1. Maps
2. Plat drawing of Sussex Park Subdivision
3. Application

G:\STREET VACATION\SV 191 Alley on John R between Gabriel and Vermont Sec 25\SV 191 PC Memo 12 08 2015.doc



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



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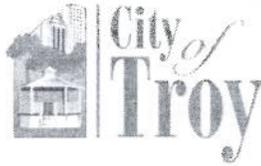
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# STREET / ALLEY VACATION APPLICATION CITY OF TROY

**CITY OF TROY PLANNING DEPARTMENT**  
 500 W. BIG BEAVER  
 TROY, MICHIGAN 48084  
 248-524-3364  
 FAX: 248-524-3382  
 E-MAIL: [planning@troymi.gov](mailto:planning@troymi.gov)



FILE NUMBER SV 191  
 DATE FILED \_\_\_\_\_  
 STREET VAC. FEE (\$500.00) pd  
 ESCROW FEE (\$1,500.00) n/a

### NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE TROY CITY PLANNING COMMISSION ARE HELD ON THE SECOND TUESDAY OF EACH MONTH AT 7:00 P.M. AT THE CITY HALL. APPLICATIONS FOR VACATIONS SHALL BE FILED NOT LATER THAN THIRTY (30) DAYS BEFORE THE SCHEDULED DATE OF THE MEETING.

**PLEASE FILE ONE (1) SIGNED ORIGINAL APPLICATION FORM** RECEIVED

THE **ESCROW FEE** IS AN ADDITIONAL FEE ABOVE THE NON-REFUNDABLE APPLICATION FEE WHICH SHALL BE USED TO PAY PROFESSIONAL REVIEW EXPENSES OF OUTSIDE CONSULTANTS.

NOV - 5 2015

PLANNING

**TO THE CITY COUNCIL:**

I (WE), THE UNDERSIGNED, DO HEREBY RESPECTFULLY PETITION AND MAKE APPLICATION TO THE TROY CITY COUNCIL FOR VACATION OF THE RIGHT- OF- WAY OR EASEMENT WHICH IS DESCRIBED AS FOLLOWS: 10' OF ALLEY BEHIND THE PROPERTY FROM THE EXISTING 20' VACANT ALLEY.

PID 88-20-25-309-002

East of John between Gabriel and Vermont

**APPLICANT(S) FOR VACATION:**

NAME NAVEED V SYED  
 COMPANY \_\_\_\_\_  
 ADDRESS 2564 MARCUS DRIVE  
 CITY TROY STATE \_\_\_\_\_ ZIP 48083  
 TELEPHONE 313 922 7777  
 E-MAIL naveedexpress@aol.com

NAME \_\_\_\_\_  
 COMPANY \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

ADDRESS(S) AND/OR PARCEL NUMBER(S) OF PROPERTY OWNED BY APPLICANT(S) WHICH ABUTS OR INCLUDES THE AREA FOR WHICH VACATION IS REQUESTED: \_\_\_\_\_

THIS REQUEST FOR VACATION IS MADE FOR THE FOLLOWING REASON(S) :

We want to build a house but the lot size is very small, if we get 10 feet from the alley we will be able to build atleast 25'X50' instead of 25' x 40'.

(Attach additional informational pages if necessary)

**ATTACHED IS A MAP INDICATING THE AREA FOR WHICH VACATION IS REQUESTED, THE LOCATION OF THE APPLICANT(S) PROPERTY, AND OTHER ABUTTING PROPERTIES. ( 1" = 200' MIN. SCALE)**

**SIGNATURE(S) OF THE APPLICANT(S):**

Naveed Syed

DATE: 11/4/15

DATE: \_\_\_\_\_



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**STREET VACATION**

8. **PUBLIC HEARING - STREET VACATION REQUEST (SV 191)** – 10 Foot of Alley east of John R between Gabriel and Vermont, Abutting Parcel 2020 Gabriel on the East and Vacant Parcel 88-20-25-309-002 on the West, Section 25, Currently Zoned R-1E (One Family Residential) District (abutting properties)

Mr. Savidant reported on the Street Vacation request. He said City Management recommends approval of the request as submitted subject to maintaining an easement for overhead and underground utilities.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

There was discussion relating to maintenance of the property and potential to vacate the entire alley in the future.

**Resolution # PC-2015-12-077**

Moved by: Tagle

Seconded by: Krent

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the street vacation request, as submitted, for an alley located east of John R, between Gabriel and Vermont, approximately 10 feet wide by 40 feet in length, abutting lots 45 and 46 of Sussex Park Subdivision, Section 25, be approved, subject to the following:

1. An easement shall be maintained for underground and overhead utilities.
2. No structures or buildings shall be constructed within the easement.

Yes: All present (7)

Absent: Hutson, Sanzica

**MOTION CARRIED**