

December 9, 2005

To the Public Works Committee

Subject: Common Council Resolution File Number 961093

Dear Honorable Members:

Returned herewith is Common Council Resolution File 961093, being a petition from Kurt F. Froebel to amend a special privilege for change of ownership and to keep and maintain a non-code compliant awning for the building at 4830 West Vliet Street.

Permission for an excess door swing encroachment was granted to Froebel Realty Company, Incorporated in 1991 under Common Council Resolution File Number 901735. The door, centered approximately 98 feet north of the northline of West Vliet Street, projects 3 feet into the 20-foot wide east sidewalk area of North 49th Street when fully open. Said 3-foot projection is in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances.

A site visit revealed the presence of a non-code compliant awning projecting 2 feet 10 inches into the east 20-foot wide sidewalk area of North 49th Street. Vertical clearance between the ground and the bottom of the awning is 5 feet 6 inches which is less than the 7 feet 6 inches required under Section 245-4-8 of the Milwaukee Code of Ordinances. The lack of vertical clearance should not have an adverse effect on usage of the paved walk in North 49th Street since there is a distance of approximately 8 feet between the property line and the public sidewalk.

We are not aware that the presence of said items will have or have had an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said items to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

MDL:cjt

Attachments