

July 8, 2004

To the Public Improvements Committee

Subject: Common Council Resolution File Number 040117

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 040117, being a petition for special privilege submitted by JTL Properties LLC to construct and maintain a sunshade structure and excess door swings which encroach into the public right-of-way of South Barclay Street for the building at 158 South Barclay Street.

The proposal is to construct and maintain a sunshade structure on the east side of South Barclay Street and have excessive door swing encroachments that extend, when fully open, 3 feet into the public right-of-way. This is greater than the 12 inches allowable by Section 245-4-8 of the Milwaukee Code of Ordinances. There is a single door location and a double door location. The sunshade is not similar to a canopy or awning, since those structures have roofs that drain toward or away from the building, respectively. The sunshade is a horizontal element similar to a hood or marquee but it is longer than either of them but not quite as high. It does not have a roof covering, so someone under it will not be protected from rain or snow. It is not intended to deflect sun up onto the interior ceilings, like the structures on the Milwaukee Public Museum Vivarium or the City's 809 Building. It is just not Code compliant, and as such, may only be permitted by adoption of a Special Privilege.

It does not appear that the encroachment of the sunshade structure or door swings into the public right-of-way of South Barclay Street will have an adverse effect on the general use of the public right-of-way at this location. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow these items to encroach into the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

James P. Purko
Director of Operations

Martin G. Collins
Commissioner
Department of Neighborhood Services

JJM:cjt
Attachments