

January 28, 2002

To the Public Improvements Committee

Subject: Common Council Resolution File Number 010807

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 010807, being a petition submitted by Dennis Dirk, the President of the Lyon Street Condominium Association for an amendment to a special privilege to allow fences (railing) to encroach into the public rights-of-way of North Humboldt Avenue and East Lyon Street adjacent to the properties at 1112-1116 East Lyon Street and 1506-14 North Humboldt Avenue

The existing special privilege, Common Council Resolution File Number 000602, adopted on November 8, 2000, granted permission to erect 40-inch high black wrought iron railings in the public rights-of-way located on the east side of North Humboldt Avenue, north of East Lyon Street, at the northeast corner of North Humboldt Avenue and East Lyon Street and on the north side of East Lyon Street, east of North Humboldt Avenue. The railings have been placed in the public rights-of-way behind and abutting the sidewalk adjacent to the building at the first and last locations, but not at the corner. The purpose was to minimize pedestrian cut-throughs and landscape damage.

The present request is to change the configuration and style of the fence at the corner of North Humboldt Avenue and East Lyon Street in order to reduce the annual fee for use of the public right-of-way for a fence enclosure. The new fence will be at approximately the same location as the previous one, but not be a complete enclosure. Two large rocks, as landscape features, are located on the ground in the public right-of-way here that will be behind the fence.

It does not appear that the installation of the railings in the public rights-of-way have had an adverse effect on the general use of the public rights-of-way at these locations. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will change the configuration of one of the fences and corresponding fee and continue to allow the fences to occupy the public rights-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Mariano A. Schifalacqua

Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

JJM:cjt
Attachment