

December 4, 2002

To the Public Improvements Committee

Subject: Common Council Resolution File Number 020903

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 020903, being a petition submitted by Working Class LLC for use of the public right-of-way to place a covered walk on the north side of West Fond du Lac Avenue adjacent to the property at 1810-16 West Fond du Lac Avenue, being a restaurant and tavern.

The applicant's request is to keep and maintain a recently installed 6.5-foot wide covered walk projecting approximately 9 feet 10 inches into the 12-foot wide public sidewalk area. The applicant had been informed that the structure had been placed without benefit of any permits or permission by the Common Council's adoption of a special privilege. A petition was subsequently obtained and submitted. We found that the vertical supports are approximately 2 feet northeast of the present curblin and the covered walk is centered approximately 66 feet northwesterly of the westline of North 18<sup>th</sup> Street at the main entrance at this location.

Our field viewing disclosed that the kitchen venting projects into the public right-of-way on the North 18<sup>th</sup> Street side of the property approximately 45 feet north of West Fond du Lac Avenue. It projects a maximum of 4 feet and is a minimum of 10 feet above the sidewalk. Code relief also is needed for this to be located in the right-of-way.

We are not aware that the covered walk or kitchen venting as constructed, has had and we do not believe that it will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution that, if adopted, would allow these items to encroach into the public rights-of-way. The applicant will be required to obtain and keep a loading zone or "no parking" status adjacent to the covered walk as long as the covered walk is in place.

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