

January 24, 2005

To the Public Improvements Committee

Subject: Common Council Resolution File Number 041143

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 041143, which is an amendment to change the name of the grantee to Monique Stewart, the new owner, for the encroachment into the public right-of-way of a concrete retaining wall for the residential property at 3881 North 25th Street.

Permission for the concrete retaining wall was originally granted to Charline Pittman in 1998 under Common Council Resolution File Number 980555. Subsequent to granting formal permission for said retaining wall, a fence, approximately 2 feet 6 inches in height, was erected atop said retaining wall, as evidenced by our recent field investigation. This fence may serve as a safety railing to prevent individuals from falling over the edge of the wall. Said fence will be allowed to remain.

Retaining walls (retainment devices) located within the public right-of-way abutting residential properties are allowed as long as the wall complies with the Code requirements (Section 245-4.6). The subject wall abuts the sidewalk, and Section 245-4.6 allows the retaining wall to be no closer than 6 inches to the edge of the sidewalk, therefore, the special privilege is required.

We are not aware that the presence of said retaining wall, with a fence within the public right-of-way of West Melvina Street has had any adverse effects on the use of the public right-of-way. We have, therefore, prepared the attached resolution, which, if adopted, will change the name of the grantee.

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

Enclosures