

April 15, 2005

To the Public Improvements Committee

Subject: Common Council Resolution File Number 951219

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 951219, being a petition submitted by Raymond G. Richardson, Jr. for Stadler & Schott, S.C. for a special privilege to allow a fence within the public right-of-way of South Baraga Street for the property at 1214 South 6th Street.

The original request in 1995 was for permission for a fence to be constructed within the public right-of-way. The petition requesting the special privilege indicated an intent to erect an "8' opaque fence 36" off the curb". We requested detail plans for it for our review but they were never supplied. Unfortunately, we didn't actively continue to pursue those plans. Due to their foot dragging, we assumed that they might have changed their mind. Recently, we observed that there was a fence that appeared to be located in the public right-of-way. We confirmed that it is in the right-of-way but it is not an opaque fence. It is an 8-foot high chain link fence and is located within the public right-of-way called South Baraga Street. Said fence encroachment starts at a point approximately 75 feet southeasterly of the intersection of South Baraga Street and South 6th Street and, then, follows South Baraga Street for an approximate distance of 116 feet. The fence encroaches into the west side of South Baraga Street approximately 2 feet. In addition there was a nice line of trees and shrubs located between the fence and curb. This vegetation was not placed by the City of Milwaukee. It appears newer than the fence and was placed by the present owner/tenant. This was placed to fulfill a landscape screening requirement around parking lots. We checked the present ownership and found that the property is now owned by KPH Investments, LLC, who will be the grantee of this special privilege.

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We are not aware that the presence of this fence has 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 formally allow the fence to continue 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