

September 24, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 030421

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 030421, being a petition submitted by Grady Thomas for use of the public right-of-way to place a covered walk on the west side of North Dr. Martin Luther King Jr. Drive adjacent to the property at 1947 North Dr. Martin Luther King Jr. Drive.

The applicant's request is to install, keep and maintain a 6.0-foot wide covered walk projecting approximately 10 feet into the 12-foot wide public sidewalk area. The vertical supports are approximately 2 feet west of the present curbline and the covered walk is centered approximately 32 feet south of the southline of West Brown Street at the main entrance at this location.

Mr. Thomas is the present owner of the building. A much earlier owner asked for and received permission by a special privilege adopted by the Common Council under Common Council 49-1847 to add a vitrolite (brand name) of facing material. It was discovered at that time that the building already encroached from 7 to 10 inches. The property ownership changed over time, and the latest resolution that is still in effect is Common Council 64-3620. Name change amendments in those days was accomplished by "deleting.....and inserting...." (the correct and pertinent names). Our recent field investigation revealed that the facing material has been removed; however, the building has not been remodeled to remove the 7-10 inches of encroachment. Therefore, this amendment includes the covered walk and the building encroachment.

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We are not aware that the building has had and, we do not believe that the covered walk 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 the building encroachment to continue and for the covered walk to encroach into the public right-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
Attachments