

November 3, 2005

To the Public Works Committee

Subject: Common Council Resolution File Number 020618

Dear Honorable Members:

Returned herewith is Common Council Resolution File 020618, being a petition from Pete's Marketplace Incorporated to amend a special privilege to change the limits of a building facade encroachment and to allow a fence to encroach into the public right-of-way of South Muskego Avenue, adjacent to the building at 1407-1409 South Muskego Avenue.

Permission for a facade encroachment was granted to Floyd Gainer, Mildred Gainer, Cecilia Steffan, Marie Zystrowski, and Badger Federal Savings and Loan Association in 1971 under Common Council File Number 71-1376. The present owner has refurbished the exterior of the building, including removing and replacing the previous facade such that the extent of the facade encroachment has changed. This current facade, which encroaches into the west, 13-foot wide fully paved public sidewalk an average of 1 foot, begins at a point 10 feet south of the southline of West Greenfield Avenue and continues south for an approximate distance of 40 feet.

Review of a survey of the property submitted with the building permit for the building's renovation, revealed the presence of a fence within the west, 13-foot wide fully paved sidewalk area of South Muskego Avenue. Said fence encroaches an average of 3 inches. The fence begins at a point approximately 51 feet south of the southline of West Greenfield Avenue and continues south for 28 feet where it turns in a westerly direction and goes back onto private property.

We are not aware that the presence of the aforementioned items 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 allow said items 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
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