

July 18, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 930852

Dear Honorable Members:

Returned herewith is a petition for a special privilege, File Number 930852, filed by Joseph and Ellen C. Checota, relating to 3224 East Hampshire Street, to be granted full and exclusive use of a portion of East Hampshire Street covering an area approximately 95 feet in length and for the entire 30-foot wide public right-of-way.

Our field investigation revealed that the above-mentioned area was not improved as a public roadway; however, the petitioners have constructed a brick surface private driveway leading directly to the Checota residence. In addition, there are 2 decorative masonry entry columns, a double-leaf security gate, spotlights, sprinklers, a fence and screening camera located within East Hampshire Street. There is a street pavement west of this area extending from North Lake Drive providing vehicular access to abutting garages as well as access to the petitioner's property. The driveway extends east from the end of the pavement for about one-half of its length and then turns north onto the Checota property. The topography of this heavily wooded area slopes down severely toward Lake Michigan. There may be a concrete wall upon which someone has installed a fence approximately 88 feet east of the end of the pavement.

Our records indicate that there are only two properties abutting the above-mentioned street extending to the shoreline of Lake Michigan. One is owned by the Checotas and the other under the control of the University of Wisconsin – Milwaukee (UW-M) (Kenwood Conference Center). East Hampshire Street in this vicinity was paved in 1971. The Checota residence was built in 1980. It appears that the subject area is used by and for the Checota property, since there is generally a fence almost exclusively along that property providing security. The fence could be theirs or UWM's or a combination.

This right-of-way was established from the property to the south (UW-M) so that if the street were to be vacated, none of it would revert to the Checota property. If UW-

M did not want it, they could then sell it to the Checotas. The Checotas have not, however, pursued that avenue. We are not aware of any adverse impacts upon the public with these items occupying the public right-of-way in this area.

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We have, therefore, prepared the attached resolution granting a special privilege to the Checotas for continued use and maintenance of the unimproved right-of-way of East Hampshire Street.

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