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OCT 07 2007
Dept of Public Works



D.N. STERLING CO.

2100 Douglas Avenue ~ Racine, WI 53402 ~ tel. 262.412.8079 fax. 262.637.4776

October 5, 2007

Richard M. Jones
Commissioner of Public Works / City Engineer
730 Washington Avenue - City Hall - 53403
262-636-9121 phone
RICHARD.JONES@CITYOFRACINE.ORG

RE: 2100 Douglas Ave.
Better Day BP
Former Gibson's Charhouse

Dear Mr. Jones:

A situation was recently brought to our attention by someone from the City of Racine Engineering Department. We weren't aware that a separate permit was required for the approach work that we planned along the public roads adjacent to our project. As we stated before, we assumed that since all plans had been sent through proper channels at the city level that are prerequisite for receiving a building permit, we also assumed that this work would be covered by our building permit. We have been in constant communication with the city's building department from day one regarding any issues that have arisen during the construction of this project, including the approach, to guaranty that any and all work at this site meets or exceeds requirements.

The item of concern was the pitch of an approach along Douglas Ave. The angle of pitch that we used to construct the approach was determined for us by a large section of sidewalk abutting the north end of the approach and a portion of an existing approach that we are utilizing that was installed many years before our family purchased the parcel. We see no other options regarding the angle of pitch for this approach. If a flatter pitch were to be used at this approach, it would have created two very dangerous lips at both ends of the new approach where it would transition to existing walk and

approach, thus creating a much more dangerous situation than our slightly more pitched approach. If you tour parcels that are immediately around our site, you will see that quite a few have approaches that are even more pitched than ours. This is common where older city streets have been widened over years creating a shorter distance between walks and streets, creating the need for a greater pitch to be used on approaches to accommodate the difference in length. In our opinion this was the best overall way to construct the approach.

We are asking for a variance regarding the installation of this approach due to all the circumstances that have arisen regarding this item. If we had been aware of the \$25 permit required for the construction of the approach, all of these items would have been addressed and handled before the installation.

Thank you for your assistance in this regard.

Very truly yours,

D.N. STERLING COMPANY

Tom C. Tousis
President