

Kuebler, David (CI-StPaul)

From: Kuebler, David (CI-StPaul)
Sent: Thursday, June 19, 2014 4:13 PM
To: Magner, Steve (CI-StPaul)
Cc: Saunders-Pearce, Wes (CI-StPaul); Lallier, Rich (CI-StPaul); St Martin, Paul (CI-StPaul)
Subject: 1776 Yorkshire

Steve,

This email is a response to the myriad of issues surrounding the denial of the encroachment request made by the property owner at 1776 Yorkshire.

It is my understanding that the issue in question revolves around the pumping of basement ground water onto private property which then drains to the public sidewalk as well as onto a neighboring property. The drainage onto neighboring property is what prompted the recent DSI complaint response system. The drainage onto the Public right-of-way (ROW) is why the property owner was requesting the encroachment permit in August of last year.

Public Works appreciates the response of DSI to the issue and it would seem to me action only by DSI would be appropriate if the issue were contained to private property or properties. Since the issue is partly that of Public Works, inasmuch as the Public ROW is affected, action by the Public Works ROW section is needed. It should be noted that the encroachment permit denied last year remains in effect. If the property owner disagrees with the denial he/she needs to follow the process in ROW Ordinance 134 in that a written appeal needs to be submitted to the Director of Public Works. The Director will then render an opinion.

Based on my discussions with the Director, an appeal to the denial request has been made by the property owner to which the response will be an upholding of the original denial decision. Subsequent encroachment applications submitted by the property owner would not be reviewed by this office unless directed to do so by the Director.

If you have any questions please contact me.

Thanks,
David

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