

July 17, 2002

To the Public Improvements Committee

Subject: Common Council Resolution File Number 011267

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 011267, being a petition for a special privilege submitted by Taxman Investment Company to construct and maintain balconies, which encroach into the public right-of-way of the north-south alley in the block bounded by North Broadway, East Clybourn Street, East Michigan Street and North Water Street for the building at 500 North Water Street. The upper floors of the building are being redeveloped into apartments.

The proposal is to construct and maintain two balconies each at the third, fourth, fifth, sixth and seventh floors of the building, which are proposed to extend approximately 6 feet into the right-of-way of said alley. This is 2 feet beyond the 4 feet allowed under Section 245-4-9 of the Milwaukee Code of Ordinances (MCO). The alley is 14 feet in width. The balconies therefore extend close to one-half of the alley width. The balconies are generally located in the middle 60% of that face of the building. There is presently a metal fire escape in the center of that wall and it is being removed. In conjunction with the building's renovation, there will be balconies overhanging a presently vacant area of the property north of the building. As with all balconies that are added to existing buildings, the profile of these balconies will be a platform surrounded by a railing and supported by a diagonal brace from the building extending down to the front corner of the platform.

At the building's southwest corner there is another encroachment. It is a turret that begins at the second floor level and extends up to the roof level. On the one hand, it doesn't appear that it exactly complies with Section 245-4 of the Code and on the other hand, our records do not indicate that permission was previously granted for this item. It does appear so close to complying and it also appears that it was constructed with the building. Therefore, it will be treated as permissible. In addition, there is an existing exit door that, when fully opened, encroaches in excess of the amount permitted in Section 245-4-8 of the Code (12 inches). It is intended to continue in use.

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It does not appear that the encroachment of the balconies or excess door swing into the public rights-of-way of the alley will have an adverse effect on the general use of the public right-of-way at this location. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow these items to encroach into the public right-of-way.

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