



# *Blankstein Enterprises*

2120 WEST CLYBOURN STREET  
MILWAUKEE, WISCONSIN 53233-2510  
PHONE (414) 342-2120 FAX (414) 342-9077  
[www.rentFROMoptimum.com](http://www.rentFROMoptimum.com)

April 10, 2017

City of Milwaukee  
City Plan Commission  
809 North Broadway  
Milwaukee, WI 53202

**Re: File No. 161590/1632-1648 North Franklin Place**

Commissioners:

File No. 161590 relates to a change in zoning from Two-Family Residential (RT4) to a Detailed Planned Development (DPD) for a proposed multi-family development at 1632-1648 North Franklin Place (the Subject Property"). The Subject Property is owned by KC Franklin Partners, LLC (the "Applicant"). Blankstein Enterprises, Inc. ("Blankstein") is the owner of an apartment building located at 1628 North Franklin Place, immediately to the south of the Subject Property. Blankstein submits this letter to express its opposition to the detailed plan for the Subject Property in the form currently under consideration by the Plan Commission.

Blankstein holds a prescriptive easement over an approximately 10'11" wide strip of land that runs along the southernmost portion of the Subject Property, (the "Access Easement"). Blankstein objects to the detailed plan in the form currently proposed because it does not adequately address and provide for the Access Easement.

Since at least 1981 the Access Easement has been secured by a chain-link fence and gate which has been controlled by Blankstein and which constitutes the westerly entrance to the Access Easement. Although that gate has been removed by the Applicant and replaced with a temporary chain-link fence, which encroaches onto Blankstein's property, the gate is clearly visible in photograph 03 and photograph 04 attached to the Narrative included in the record on this matter.

Blankstein objects to the detailed plan currently under consideration by the Plan Commission because the apartment building proposed by the Applicant encroaches into the Access Easement. In addition, a gate depicted in Drawing C102, included in the Civil Drawings included in the record, is a "3' wide x 6' high Single Swing Cedar Privacy Gate" located directly across the westerly entrance to the Access Easement. Such a gate will not accommodate the over-head lift and equipment required for utilization of the Access Easement for the ongoing maintenance and operation of Blankstein's apartment building.

Accordingly, Blankstein respectfully requests the Plan Commission to withhold action on File No. 161590 until such time as the detailed plan is modified to relocate the proposed multi-

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family building to eliminate the encroachment into the Access Easement, to explicitly acknowledge the Access Easement and to provide for the construction of fencing and a gate which will preserve access for Blankstein at the westerly entrance to the Access Easement. In the alternative, Blankstein respectfully requests the Plan Commission to disapprove the detailed plan on file and to recommend disapproval by the Common Council.

Sincerely,



Donald Bass, President

cc: KC Franklin Partners, LLC  
Alderman Nik Kovak  
Executive Secretary Rocky Marcoux  
Bret A. Roge, Esq.  
John D. Finerty, Jr., Esq.

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