

March 28, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 021227

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 021227, being a petition for a special privilege submitted by Joseph Sowatzke, Agent for Second Property, LLC to construct and maintain balconies, which encroach into the public right-of-way of the north-south alley in the block bounded by West Clybourn Street, West St. Paul Avenue, North 2nd Street and North 3rd Street for the building at 413 North 2nd Street. This former industrial building known as the Shadbolt & Boyd Building was redeveloped into apartments in 1997.

The proposal is to construct and maintain two balconies each at the second, third, fourth, fifth and sixth floors of the building, which are proposed to extend approximately 7.5 feet into the 20-foot wide right-of-way of said alley, being the back of the building. This is 3.5 feet beyond the 4 feet allowed under Section 245-4-9 of the Milwaukee Code of Ordinances Code. The balconies therefore extend close to one-half of the alley width. The balconies are generally located in the middle 75% of that face of the building. There is presently a metal fire escape in the center of that wall and it is to be removed. In conjunction with the building's renovation, there will also be balconies overhanging parking areas of the property north and south of the building. As with most balconies that are added to existing buildings, the profile of these balconies will be a platform surrounded by a railing and supported by diagonal braces from the building extending down to the front corners of the platform.

Our field viewing revealed that there are several existing items located on the back of the building encroaching into the same alley. They are: a drop-down dock, dock bumpers at another dock, a ladder, a mirror and security cameras. There are also items on the front of the building that encroach into North 2nd Street. They are: security cameras and excess door swings. These items are intended to remain. They can't do that without approval; therefore, we will include these items in the special privilege resolution.

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We are not aware that any of the existing items has had an adverse effect on the general use of these public rights-of-way. It does not appear that the encroachment of the balconies into the public right-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 all of these items to encroach into the public rights-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