

To: The Historic Commission.

I am writing to you hoping you can take another look at our case regarding our building at 1688 N Franklin Pl. Milwaukee, WI 53202. We were flagged for installing inappropriate windows in 60% of the building and are being asked to replace 100% of them.

Here is the story. My late father purchased the building back in 1982 and operated it for over 20 years doing minimal upkeep. Both my brother and I spent time as kids on this building helping our father with maintenance issues over the years when Brady St. was a bad neighborhood. My brother Jovan Torbica did a land contract with my father back in the mid 2000's and managed it until he came under financial stress in 2013. The housing collapse took its toll.

My father passed in 2011. The building was not only mismanaged but also behind in property taxes and utility bills. Since I inherited half of the property per my late father's will, we agreed I would do a cash infusion, pay off all the back taxes and we would be 50/50 owners. We went ahead and filed a quitclaim deed to achieve this.

Fast forward to 2016, having just recently completed a successful renovation project, I was eager to get started on this building. As the managing partner I saw all kinds of opportunity to beautify it and add significant value to the Brady Street neighborhood and compete in the now extremely competitive rental market. We hired an architect and general contractor to begin renovations on 2 of the units that

were in very bad shape. In order to meet the standards, we invested over 150K. We went in with all the money and borrowing capacity we had. The list of upgrades is long. Finally, after completion we were excited about our achievement. We thought we were being good stewards of the property and adding value to the neighborhood and city.

In late 2017 I got a notice that the windows we installed were not historically appropriate. I was stunned. My general contractor never said anything, my architect never said anything, my brother never said anything and with all the filed permits with the city planner no inspectors said anything. Part of the confusion in all of this stems from the fact that no notice was given to Shepard's LLC after the deed went through to the city about any guidelines for historical appropriateness for properties in a historic district. Rewind back to 2013, as I mentioned earlier this was not a traditional sale it was a quitclaim deed, which was done privately at home. Nothing said historic on the deed. My brother was way behind in property taxes and into collections. He was very sick with ailing health conditions. The historic designation and its rules were not discussed during transfer of deed, because he was in no position to explain this.

Spring of 2018, a date was set for the historic commission to review our case. I brought the citation to my brother's attention. He is a passive partner in this since he is still struggling with his illness. When I asked him about this he said his knowledge and experience with the historic guidelines extends to his work with

Paul (a deceased former historic planner) on the storefront space in 2006. He was doing work on the lower storefront and was told to preserve the west storefront windows in wood and told verbally it was ok to replace the South driveway facing first floor windows with vinyl since the public could not see them, and received a certificate of appropriateness. Today we are told the storefront windows are not required to be in wood due to cost, this is the opposite of what Jovan was directed to do in 2006.

When the windows were cited during the commissions hearing my representatives were under the impression it was for the west side of the building, specifically Alex Torbica my relative said pictures of the west side of the building were used as evidence for what needed to be done. The west side of the building is 100% in public view and a reasonable request. He called me right after the hearing saying we were all set, only the west side needed to be fixed which is why I never appealed the ruling. We all talked about this prior to that hearing and we never imagined in our worst nightmare the city would require windows that the public does not see would need to be replaced. The north side has less than 2 feet to the other building, the backside faces the garage, no public access and the south side faces a very narrow driveway. I sent in a new application for the west side figuring that's all that needed to be done and was told no, all the windows need to be replaced. Because I live out of state I depended on my relatives to inform me. I was not able to be present for the hearing. This has been a big misunderstanding and miscommunication.

We fully support historical preservation of buildings on Brady Street that have public viewing access. Asking for replacement of 100% of our windows, when we already replaced 60% of the total that the public cannot see, is a financial hardship for us. We are asking for a variance to this rule and be allowed to leave the windows we have in place. We would also invite you to our property to see for yourself.

We all understand wood windows are susceptible to weathering from wind, snow, rain and sun, causing expanding and contracting of the material. This means they need to be repainted on both sides every 5 years. Window sashes build up paint in joints that makes the window operation stick.

We looked at other properties that have a big optical presence on Brady St. The Historic Catholic Church and community center across the street has had extensive window renovation completed over the years and none of those windows is made of wood and there are other examples of non-compliance.

The senior planner at the historic commission offered us 5 years to get into compliance. After reviewing all the windows on the building, we have a total of 48. Based on quotes we have received from multiple vendors the average price window is \$600.00. For a total of \$28,800. The minimum labor cost to remove existing windows and replace with wood windows fully installed, painted with finish trim inside and out is \$200.00 per window. Total \$9600.00 in labor. The total cost to

comply with the order is \$38,400.00. That is a conservative number, which equates to \$7680.00 a year over 5 years, which is a huge expenditure.

Without going into our granular financial detail here, which I will provide if requested) we are not in a financial position to do that. We are already at the brink financially on that building, with no borrowing capacity left. We went over budget, our credit is maxed out. The money to pay for this would have to come from any profits in that building after all expenses, monthly loan payments and distributions of income to the partners for living expenses. We still have 2 aging boilers that need to be replaced estimated cost \$10,000, a priority. We are a family of hard working, middle class, east side natives. We are not an investment group with unlimited funds. Simply put, we do not have the funds to comply with the suggested timeline of 5 years. Even with a \$10,000 tax credit.

We would need much more time.

We are prepared to do the west side of the building this year. We are asking you to please give this matter consideration. We need help.

Thank you in advance.

