

December 5, 2005

To the Public Works Committee

Subject: Common Council Resolution File Numbers 050118 & 050119

Dear Honorable Members:

Returned herewith are Common Council Resolution Files 050118 and 050119, being amendments to special privileges for change of ownership of a second story balcony/patio structure encroaching in the public right-of-way of North Water Street for the buildings at 1209-11 North Water Street and 1213 North Water Street. Additionally, site visits to the two buildings revealed the presence of an excess door swing encroachment for each building.

Permission for a second story balcony/patio for the two abutting buildings was granted to LESZ, Inc., which owned both buildings, in 2003 under Common Council Resolution File Numbers 030011 and 030012. Fortney, Fortney and Fortney, LLP purchased both properties and constructed the second story balcony/patio in 2005. Said balcony/patio structure is built across both buildings and projects 10 feet into the west 12-foot wide fully paved sidewalk area of North Water Street. There is a minimum 13-foot 4-inch clearance between the bottom of the balcony/patio structure and the adjacent sidewalk grade.

A site visit revealed the presence of two excess door swing encroachments, one for each building. The excess door swing for the building at 1209-11 North Water Street projects 2 feet 10 inches into the west, 12-foot wide fully paved sidewalk area of North Water Street when fully open and is centered approximately 65 feet north of the northline of East Juneau Avenue. The excess door swing for the building at 1213 North Water Street projects 3 feet into west, 12-foot wide fully paved sidewalk area of North Water Street when fully open and is centered approximately 97 feet north of the northline of East Juneau Avenue. Both of these doors project into the public right-of-way in excess of the 12 inches allowed under Section 245-4-8 of the City of Milwaukee Code of Ordinances.

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We are not aware that the presence of said items will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolutions, which, if adopted, will amend the ownership of the above special privileges; will grant permission for an excess door swing encroachment for each building; and will formally allow said items to continue to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

MDL:cjt

Attachments