

August 6, 2009

To the Public Works Committee

Subject: Common Council Resolution File Number 070902

Dear Honorable Members:

Returned herewith is the Common Council Resolution File Number 070902, granting a special privilege to Breakwater Condominium Association Inc for a concrete step, two stationary planters, excess door swings, a roof overhang, an excess canopy projection, a concrete platform and elevated sidewalk in the public right-of-way for the premises at 1313 North Franklin Place.

The applicant, a condominium association, is requesting permission to construct, keep and maintain items in the public right-of-way that were constructed as part of the condo development at 1313 North Franklin Place. The majority of items are located in the west, 14.8-foot wide sidewalk area of North Franklin Place centered about the main entrance to the building. The adjacent sidewalks rise from the normal sidewalk grade up towards the top of the concrete platform, which is a maximum of 16 inches above the adjacent grade. It should be noted that, while not ideal, the elevated sidewalks are constructed such that they meet the minimum requirements for accessibility. As appropriate, handrails are located along the edge of the elevated sidewalks and at the concrete step. Additionally, the stationary planters serve as a barrier between the top of the concrete platform and the curb below. The excess canopy projection and the excess door swings meet all code requirements except that they project into the public way beyond what is allowed by the Milwaukee Code of Ordinances.

The only item located within the north, 20-foot wide sidewalk area of East Knapp Street is a roof overhang, which projects beyond the 3 feet allowed under Section 245-4-1 of the Milwaukee Code of Ordinances. The roof overhang projects 7 feet into the public way and is located 260 feet above grade.

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 resolution, which, if adopted, will allow said items to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

Art Dahlberg, Commissioner  
Department of Neighborhood Services

MDL: ns  
Attachment  
c: Alderman Nik Kovac