

May 25, 2006

To the Public Works Committee

Subject: Common Council Resolution File Number 040874

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 040874, being an amendment to a special privilege for change of ownership to Dermond Associates, LLC to keep and maintain a concrete stairway and to grant permission for a new building façade, an excess door swing, non-code compliant awnings, non-code compliant fire escape balconies, waste dumpsters, and security cameras for the building at 753 North Water Street.

Permission to keep and maintain an existing concrete stairway and a tile building façade was granted to Michael and Lynn Short in 1997 under Common Council Resolution File Number 970736. Said concrete stairway to the basement is located in the north, 17-foot sidewalk area of East Mason Street. The current owner, Dermond Associates, LLC removed the previously existing tile building façade and replaced it with a new brick façade, which encroaches between 0.3 and 0.4 feet into the west, variable width sidewalk area of North Water Street.

A site visit revealed the presence of two non-code compliant fire escape balconies, an excess door swing, seven non-code compliant fixed awnings, three commercial waste dumpsters and three security cameras. The fire escape balconies project into the 25-foot wide public right-of-way of North Front Street below the minimum 10-foot elevation above grade required by Section 245-4.9 of the Milwaukee Code of Ordinances. The excess door swing projects 3 feet 6 inches, when fully open, into the variable width, west sidewalk area of North Water Street, which is in excess of the 12 inches permitted under Section 245-4.8 of the Milwaukee Code of Ordinances. Seven 18-inch deep, non-code compliant fixed awnings project into the public right-of-way of either North Water Street or East Mason Street. The awnings slope 0° from the horizontal, which is less than the minimum 30° from the horizontal under Section 245-7.6d of the Milwaukee Code of Ordinances. Three dumpsters are located in North Front Street, abutting the building. Two of the dumpsters measure 2 feet 5 inches square and the third is 5 feet long and 3 feet 8 inches wide. The dumpsters are completely in the public right-of-way. Finally,

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three security cameras, approximately 2 inches in diameter and 6 inches long, are mounted to the building face approximately 10 feet above sidewalk grade. Two of the cameras are located at the northerly corner of the North Water Street building face and the third is located on the southerly corner of the North Front Street building face.

We do not believe that 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 the concrete stairway to remain in the public right-of-way and will grant permission for the new building façade, excess door swing, awnings, fire escape balconies, waste dumpsters, and security cameras to be in 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 Service

MDL:lja
Attachment

c: Alderman Robert Bauman