



Legislation Details (With Text)

File #: 970736 **Version:** 1
Type: Resolution **Status:** Passed
File created: 9/2/1997 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:** 11/4/1997
Effective date:

Title: Substitute resolution amending two special privileges to Guarantee Savings & Loan Association that granted permission for construction and maintenance of exterior concrete stairs and tile wall facing at 753 North Water Street, to now grant permission for an existing sign projecting into the public right-of-way of North Water Street and to change the name of the grantee of the special privilege to Michael and Lynn Short, in the 4th Aldermanic District in the City of Milwaukee.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments:

Date	Ver.	Action By	Action	Result	Tally
9/2/1997	0	COMMON COUNCIL	ASSIGNED TO		
10/22/1997	1	CITY CLERK	DRAFT SUBMITTED		
10/22/1997	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION		
11/4/1997	1	COMMON COUNCIL	ADOPTED	Pass	16:0
11/13/1997	1	MAYOR	SIGNED		

970736
SUBSTITUTE
70-2854
70-2055
THE CHAIR

Substitute resolution amending two special privileges to Guarantee Savings & Loan Association that granted permission for construction and maintenance of exterior concrete stairs and tile wall facing at 753 North Water Street, to now grant permission for an existing sign projecting into the public right-of-way of North Water Street and to change the name of the grantee of the special privilege to Michael and Lynn Short, in the 4th Aldermanic District in the City of Milwaukee.

- Analysis -

Substitute resolution amending two special privileges to Guarantee Savings & Loan Association, that granted permission for construction and maintenance of exterior concrete stairs and tile wall facing at 753 North Water Street, to now grant permission for an existing sign to continue projecting into the public right-of-way of North Water Street, and to change the name of the

Whereas, Common Council Resolution File Number 70-2854 was adopted on April 13, 1971, granting a special privilege to Guarantee Savings & Loan Association to reconstruct and maintain a concrete stairway on the north side of East Mason Street adjacent to the building at 753 North Water Street; and

Whereas, Common Council Resolution File Number 70-2855 was adopted on April 13, 1971, granting a special privilege to Guarantee Savings & Loan Association to install and maintain tile facing on the easterly wall of the building at 753 North Water Street projecting into North Water Street; and

Whereas, The current request is to allow an existing wall sign to continue to project into the public right-of-way in excess of the 4 feet allowed under Section 244-10 of the Milwaukee Code of Ordinances; and

Whereas, The current owners of the building are Michael H. and Lynn C. Short, and should now be named as the grantees of the special privilege; and

Whereas, Encroachment of the stairway, tile wall facing and sign into the public rights-of-way can only be allowed through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 70-2854 and 70-2855 granted to Guarantee Savings & Loan Association, are hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Michael H. and Lynn C. Short, 5646 North Shore Drive, Milwaukee, WI 53217 are hereby granted the following special privileges:

1. To keep, use and maintain an approximate 4.25-foot wide, 10-foot long concrete stairway to the basement on the north side of East Mason Street, adjacent to the building at 753 North Water Street. The stairway begins approximately 57 feet west of the westline of North Water Street and projects approximately 4.25 feet into the public right-of-way. The stairway is surrounded by steel pipe railing on two sides for safety purposes.

2. To keep and maintain tile facing on the easterly wall of the building at 753 North Water Street, which projects from approximately 0.11 to 0.24 feet into the public right-of-way on the west side of North Water Street. The tile facing extends from the northline of East Mason Street approximately 45 feet north.

3. To maintain a sign hung over the public right-of-way on the west side of North Water Street. Said sign, approximately 4 feet high by 6 feet wide, anchored to the building at 753 North Water Street, is located at a point approximately 26 feet north of the northline of East Mason Street. Said sign has a minimum vertical clearance in excess of 10 feet above the sidewalk grade, and projects into the public right-of-way a distance of approximately 6 feet.

Said stairway, tile facing and sign shall be erected/constructed and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection and all necessary permits shall be procured from the Commissioners of Building Inspection and Public Works. No alteration or replacement of any item may be made without the written approval of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Michael H. and Lynn C. Short, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$243.87. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

October 17, 1997

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