

April 12, 2004

Mr. Ronald Leonhardt
City Clerk
Room 205 - City Hall
City of Milwaukee

Dear Mr. Leonhardt:

The department has reviewed the protest petition relative to Ordinance File No. 031239 and Resolution File No. 031370 and the requirements of s. 62.23(7)(d) 2m. Wis. Stats. Since Resolution File No. 031370 amends the Northwest Area Plan and is not a zoning change, it is not subject to the protest petition.

Although numerous signatures appear on the protest petition as amended, most of those signatures represented properties that were not immediately adjacent and extending 100 feet from the proposed zoning change or were not directly opposite thereto and extending 100 feet from the street frontage of the land opposite the proposed zoning change. The petition includes the valid signatures of two property owners of property that is immediately adjacent to the proposed zoning change. However, the area of property within 100 feet of the zoning change did not meet the 20% required by State Stats.

The petition also includes the signatures of six property owners of opposite property located within 100 feet of the street frontage (i.e. across the street from). Although the signatures representing these six privately owned properties are valid the area of property within 100 feet of the street frontage does not meet the 20% required by State Stats. The

petition therefore does not meet the requirements of s.62.23 (7)(d) 2m. Wis. Stats. and a $\frac{3}{4}$ vote of the Common Council to approve the ordinance will not be required.

Sincerely,

Patricia S. Algiers
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Tom Nardelli
J. Owczarski
T. MacDonald
J. Hyslop
J. Laskowski
S. Mukamal
File