

STATE OF WISCONSIN:           CITY OF MILWAUKEE

BEFORE THE COMMON COUNCIL  
OF THE CITY OF MILWAUKEE

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IN THE MATTER OF the Interim Historic  
Designation Petition with Respect to Properties  
Located at 2502 East Webster Street 2560-62 North  
Stowell Avenue 2566 North Stowell Avenue  
Avenue and 2570 North Stowell Avenue in the  
3<sup>rd</sup> Aldermanic District of the City of Milwaukee  
Pursuant to § 308-81-10.5, Milwaukee Code of Ordinances

File No. \_\_\_\_\_

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PETITION IN SUPPORT OF APPEAL BY RESPONDENTS  
FROM CERTAIN DECISIONS OF THE HISTORIC PRESERVATION  
COMMISSION IMPOSING INTERIM HISTORIC DESIGNATION

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TO THE HONORABLE, THE COMMON COUNCIL  
OF THE CITY OF MILWAUKEE:

The Petition of Daniel J. Katz, John B. Crichton, Thomas A. Hauck and Katz Properties, Inc. (collectively the "Respondents"), by Friebert, Finerty & St. John, S.C., their attorneys, alleges and shows as follows:

1.       That the Respondents above named are investors engaged in the real estate investment business in the Milwaukee metropolitan area with offices at 316 East Silver Spring Drive, Milwaukee, Wisconsin 53217 and are the owners of the properties described in this Petition.

2.       The Respondents are the owners of record of certain properties located in the City of Milwaukee and more specifically described as follows:

Street Address	Type of Building	Tax Key No.
2502 E. Webster Street (a/k/a 2554 N. Stowell Avenue)	Duplex residential	319-0142-000-1
2560-62 N. Stowell Avenue	Four family residential	319-0143-000-7
2566 N. Stowell Avenue	Two family residential	319-0144-000-2
2570 N. Stowell Avenue	Single family residential	319-0145-000-8

These properties are located in the 3<sup>rd</sup> Aldermanic District of the City of Milwaukee.

3. On or about September 11, 2001 the Respondents filed an application for demolition permits for these properties with the Department of Neighborhood Services (“DNS”) for the City of Milwaukee pursuant to § 200-26-5, Ordinances, in connection with the properties described in ¶ 2 above.

4. That the DNS routinely held such permits pursuant to § 308-81-5-c, Ordinances, for an anticipated period of 16 working days (the “holding period”) to allow the Department of City Development (“DCD”) to examine such applications.

5. On or about September 10, 2001 during the holding period, interim historic designation petitions (the “Petitions”) were filed with the Historic Preservation Commission for the City of Milwaukee (the “Commission”) by Mary A. Wasielewski, a taxpayer residing in the 3<sup>rd</sup> Aldermanic District. A copy of the Petitions filed with the Commission are attached hereto as Exhibit A (1-4) and incorporated herein by reference.

6. On or about September 10, 2001 by certified mail to the Respondents, the Commission gave written notice to the Respondents that the Petitions had been received

for the properties described in ¶ 2 above and that a public hearing would be held to consider such Petitions on Monday, September 17, 2001 at 3:00 p.m.

7. On September 14, 2001 the Respondents attorneys served upon and filed with the Commission their Consolidated Response and Affirmative Defenses on behalf of the Respondents, to the interim historic designation petitions (“Respondents’ Answer”). A copy of Respondents’ Answer is attached hereto as Exhibit B and incorporated herein by reference.

8. On or about September 17, 2001 the Commission conducted a public hearing on the Petitions and during the course of such hearing, decided to impose interim historic designation upon the Properties described in ¶ 2, thus freezing the use of the Properties for a 180 day period and denying the Respondents the right to obtain the applied for demolition permits from the DNS.

9. The Commission rendered its written decisions on September 18, 2001 and forwarded the same to the Respondents by certified mail. Copies of the decisions concerning the Properties described in ¶ 2 above are attached hereto as Exhibit C (1-4) and incorporated herein by reference.

10. In accordance with § 308-81-10.5-f, the interim historic designations described herein are appropriate for review. In addition, based on the facts set forth hereinafter, the determination of the Commission to impose interim historic designation must be reversed. The interest of the Respondents in using the Properties for their own purposes far outweighs the interest of the public in preserving the buildings designated in ¶ 2. In addition, the economic burdens visited upon the Respondents in connection with the Properties described in ¶ 2 above would be substantial and far outweighs any public

benefit from providing an interim historic designation, or any designation at all, that such buildings are historic or architecturally significant.

11. In addition, as set forth in the Respondents' Answer, the action taken by the Commission denies substantive due process to the Respondents (§ 11, Respondents' Answer), denies equal protection to the Respondents (§ 12, Respondents' Answer) and denies the right of the Respondents to assemble the Properties for development purposes which is or may constitute a partial taking (§ 13, Respondents' Answer).

WHEREFORE, the Respondents request that the Common Council reverse the Commission's decisions on interim historic designation and authorize the issuance of the demolition permits duly applied for pursuant to § 200-26-1, Ordinances and provide such other relief to the Respondents as may be appropriate under the circumstances.

Dated at Milwaukee, Wisconsin this 21st day of September, 2001.



Daniel J. Katz, for himself and on  
behalf of those Respondents with whom he  
is united in interest

FRIEBERT, FINERTY & ST. JOHN, S.C.

John D. Finerty

State Bar No. 1009840

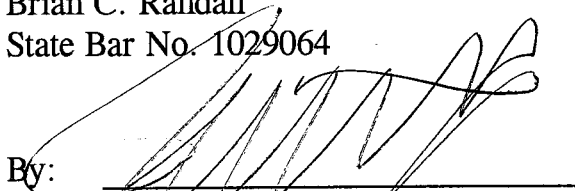
S. Todd Farris

State Bar No. 1006554

Brian C. Randall

State Bar No. 1029064

By:

  
\_\_\_\_\_  
John D. Finerty

Attorneys for Respondents

P.O. Address

Two Plaza East - Suite 1250

330 E. Kilbourn Avenue

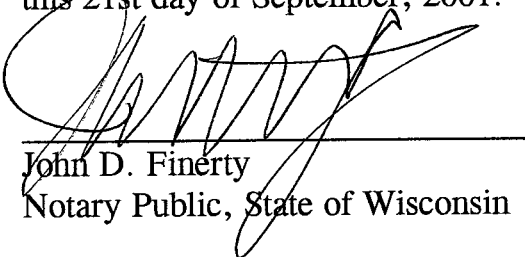
Milwaukee, WI 53202

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
  ) ss.  
MILWAUKEE COUNTY )

Personally came before me this 21st day of September, 2001, the above named Daniel J. Katz, for himself and for the Respondents John B. Crichton, Thomas A. Hauck and Katz Properties, Inc., said Respondents being united in interest and appealing together and that he, in that regard, being authorized so to do, executed the foregoing Petition for the purposes therein stated by signing his name for himself and for those other Respondents with whom he is united in interest.

Subscribed and sworn to before me  
this 21st day of September, 2001.



John D. Finerty  
Notary Public, State of Wisconsin

My commission is permanent

INTERIM HISTORIC DESIGNATION PETITION

1. Name of Property: \_\_\_\_\_  
Address of Property: 2502 E. Webster Pl. 53211  
Zip Code

2. Name and Address of Owner  
Name: Daniel J. Katz, John B. Crichton, Thomas A. Hauck  
Street Address: 316 E Silver Spring Dr.  
City: Milwaukee State: WI Zip Code: 53217  
Daytime Telephone Number: \_\_\_\_\_  
(Area Code)

Applicant (if different from owner) Mary A. Wasielewski  
Street Address: 2536 N. Summit Ave  
City: Milw. State: WI Zip Code: 53211  
Daytime Phone Number: 212-3328 Evening Phone Number 964-5404

3. Attachments

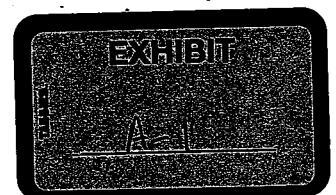
The following information is enclosed:

- \_\_\_\_\_ Exterior photographs (required)
- \_\_\_\_\_ Color slides of exterior (required)
- \_\_\_\_\_ Copy of newspaper notice of demolition permit application
- \_\_\_\_\_ Other (explain) \_\_\_\_\_



4. Legal Property Description

Legals Burke's subdivision (E) in SW 1/4 Sec 15-7-2  
Description Block 4 W 92' Lot 4



5. **Description of Structure**

Number of stories: 2

Wall cladding (check each that apply)

Clapboard  Brick  Stucco  Stone  Wood Shingle  Terra Cotta   
Asphalt Siding  Asbestos Tile  Aluminum/Vinyl Siding  Artificial Stone   
Other: \_\_\_\_\_

Describe Outstanding Features:



**6. Significance**

**Areas of Significance:**

- agriculture
- architecture
- art
- commerce
- communications
- community planning
- conservation
- science
- social/humanitarian

- economics
- education
- engineering
- exploration/settlement
- industry
- invention
- landscape architecture
- theater
- other (specify)

- law
- literature
- military
- music
- philosophy
- politics/government
- religion
- transportation

Date Built: 1904

Date Altered (if applicable) \_\_\_\_\_

Builder/Architect: \_\_\_\_\_

Written Statement of Significance, including history of structure:  
(continue on a separate sheet, if necessary)

7. Major Bibliographical References

8. Form Prepared By:

Name: Mary A. Wasielewski Date: 9/18/01

Address: 2536 N. Summit Ave

City: Milw State: WI Zip Code: 53211

Telephone: 964-5404

Signature: Mary A. Wasielewski

ACKNOWLEDGMENT

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Personally came before me on this 10<sup>th</sup> day of September in the year of 2001

the above named Mary A. Wasielewski Name of Person to me known to be the person who executed the foregoing instrument and acknowledge the same.

Subscribed and sworn before me

J. T. Wasielewski  
Signature of notary

Notary Public, State of Wisconsin

My commission is/expires: permanent

Milwaukee Historic Preservation Commission  
Department of City Development  
809 North Broadway  
Milwaukee, WI 53202

414.286-5705

INTERIM HISTORIC DESIGNATION PETITION

1. Name of Property: \_\_\_\_\_

Address of Property: 2560 thru 2562 N. Stowell Ave. 53211  
Zip Code

2. Name and Address of Owner

Name: Daniel J. Katz, John B. Crichton, Thomas A. Hauck

Street Address: 316 E. Silver Spring Dr.

City: Milw. State: WI Zip Code: 53217

Daytime Telephone Number: \_\_\_\_\_  
(Area Code)

Applicant (if different from owner) Mary A. Wasielewski

Street Address: 2536 N. Summit Ave.

City: Milw. State: WI Zip Code: 53211

Daytime Phone Number: 26-3328 Evening Phone Number 964-5404

3. Attachments

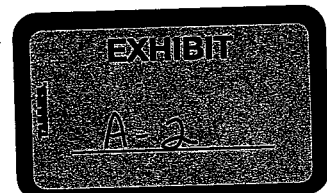
The following information is enclosed:

- \_\_\_\_\_ Exterior photographs (required)
- \_\_\_\_\_ Color slides of exterior (required)
- \_\_\_\_\_ Copy of newspaper notice of demolition permit application
- \_\_\_\_\_ Other (explain) \_\_\_\_\_



4. Legal Property Description

Legals Burke's subd (E) in SW 1/4 Sec 15-7-22  
Description Block 4 S301 Lot 5



5. Description of Structure

Number of stories: 2

Wall cladding (check each that apply)

Clapboard \_\_\_ Brick \_\_\_ Stucco \_\_\_ Stone \_\_\_ Wood Shingle \_\_\_ Terra Cotta \_\_\_  
Asphalt Siding \_\_\_ Asbestos Tile  Aluminum/Vinyl Siding \_\_\_ Artificial Stone \_\_\_  
Other: \_\_\_\_\_

Describe Outstanding Features:

6. **Significance**

**Areas of Significance:**

- agriculture
- architecture
- art
- commerce
- communications
- community planning
- conservation
- science
- social/humanitarian

- economics
- education
- engineering
- exploration/settlement
- industry
- invention
- landscape architecture
- theater
- other (specify) \_\_\_\_\_

- law
- literature
- military
- music
- philosophy
- politics/government
- religion
- transportation

Date Built: 1902

Date Altered (if applicable) \_\_\_\_\_

Builder/Architect: \_\_\_\_\_

Written Statement of Significance, including history of structure:  
(continue on a separate sheet, if necessary)

7. Major Bibliographical References

8. Form Prepared By:

Name: Mary A. Wasielewski Date: 9/10/01

Address: 2536 N. Summit Ave.

City: Milw State: WI Zip Code: 53211

Telephone: 964-5404

Signature: Mary A. Wasielewski

ACKNOWLEDGMENT

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Personally came before me on this 10<sup>th</sup> day of September in the year of 2001  
the above named Mary A. Wasielewski to me known to be the  
Name of Person  
person who executed the foregoing instrument and acknowledge the same.

Subscribed and sworn before me

F. T. Wasielewski  
Signature of notary

Notary Public, State of Wisconsin

My commission is/expires: permanent

Milwaukee Historic Preservation Commission  
Department of City Development  
809 North Broadway  
Milwaukee, WI 53202

414.286-5705

INTERIM HISTORIC DESIGNATION PETITION

1. Name of Property: \_\_\_\_\_

Address of Property: 2566 N. Stowell Ave. 53211  
Zip Code

2. Name and Address of Owner

Name: Daniel J. Katz, John B. Crichton, Thomas A. Hauck

Street Address: 314 E. Silver Spring Drive

City: Milw. State: WI Zip Code: 53217

Daytime Telephone Number: \_\_\_\_\_  
(Area Code)

Applicant (if different from owner) Mary A. Wasielewski

Street Address: 2536 N. Summit Ave.

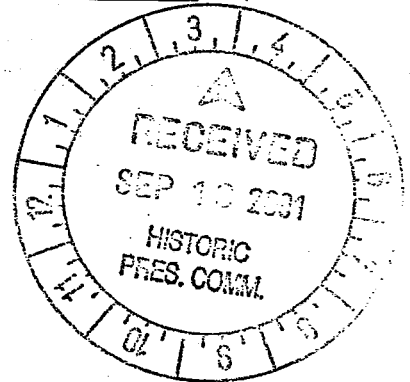
City: Milw. State: WI Zip Code: 53211

Daytime Phone Number: 212-2238 Evening Phone Number 964-5404

3. Attachments

The following information is enclosed:

- Exterior photographs (required)
- Color slides of exterior (required)
- Copy of newspaper notice of demolition permit application
- Other (explain) \_\_\_\_\_



4. Legal Property Description

Legals Barke's Subd (E) in SW 1/4 Sec 15-7-22  
Description Block 2 in 30' Lots



5. Description of Structure

Number of stories: 2

Wall cladding (check each that apply)

Clapboard  Brick  Stucco  Stone  Wood Shingle  Terra Cotta   
Asphalt Siding  Asbestos Tile  Aluminum/Vinyl Siding  Artificial Stone   
Other: \_\_\_\_\_

Describe Outstanding Features:



6. **Significance**

**Areas of Significance:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> agriculture         | <input type="checkbox"/> economics              | <input type="checkbox"/> law                 |
| <input type="checkbox"/> architecture        | <input type="checkbox"/> education              | <input type="checkbox"/> literature          |
| <input type="checkbox"/> art                 | <input type="checkbox"/> engineering            | <input type="checkbox"/> military            |
| <input type="checkbox"/> commerce            | <input type="checkbox"/> exploration/settlement | <input type="checkbox"/> music               |
| <input type="checkbox"/> communications      | <input type="checkbox"/> industry               | <input type="checkbox"/> philosophy          |
| <input type="checkbox"/> community planning  | <input type="checkbox"/> invention              | <input type="checkbox"/> politics/government |
| <input type="checkbox"/> conservation        | <input type="checkbox"/> landscape architecture | <input type="checkbox"/> religion            |
| <input type="checkbox"/> science             | <input type="checkbox"/> theater                | <input type="checkbox"/> transportation      |
| <input type="checkbox"/> social/humanitarian | <input type="checkbox"/> other (specify)        |  |

Date Built: 1905

Date Altered (if applicable) \_\_\_\_\_

Builder/Architect: \_\_\_\_\_

Written Statement of Significance, including history of structure:  
(continue on a separate sheet, if necessary)

7. Major Bibliographical References

8. Form Prepared By:

Name: Mary A. Wasielewski Date: 9/19/01

Address: 2536 N. Summit Ave

City: Milw. State: WI Zip Code: 53211

Telephone: 964-5404

Signature: Mary A. Wasielewski

ACKNOWLEDGMENT

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Personally came before me on this 10<sup>th</sup> day of September in the year of 2001  
the above named Mary A. Wasielewski to me known to be the  
Name of Person  
person who executed the foregoing instrument and acknowledge the same.

Subscribed and sworn before me

J. T. Wasielewski  
Signature of notary

Notary Public, State of Wisconsin

My commission is/expires: permanent

Milwaukee Historic Preservation Commission  
Department of City Development  
809 North Broadway  
Milwaukee, WI 53202

414.286-5705

INTERIM HISTORIC DESIGNATION PETITION

1. Name of Property: \_\_\_\_\_

Address of Property: 2570 N. Stowell Ave 53211  
Zip Code

2. Name and Address of Owner

Name: Daniel J. Katz, Thomas B. Crichton, Thomas A. Haude

Street Address: 316 E. Silver Spring Dr.

City: Milw. State: WI Zip Code: 53217

Daytime Telephone Number: \_\_\_\_\_  
(Area Code)

Applicant (if different from owner) Mary A. Wasielewski

Street Address: 2536 N. Summit Ave.

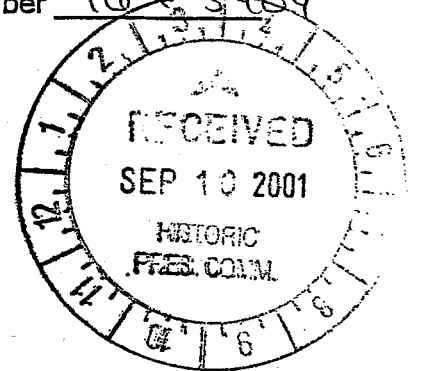
City: Milw. State: WI Zip Code: 53211

Daytime Phone Number: 212-3328 Evening Phone Number 964-5104

3. Attachments

The following information is enclosed:

- \_\_\_\_\_ Exterior photographs (required)
- \_\_\_\_\_ Color slides of exterior (required)
- \_\_\_\_\_ Copy of newspaper notice of demolition permit application
- \_\_\_\_\_ Other (explain) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



4. Legal Property Description



5. Description of Structure

Number of stories: 2

Wall cladding (check each that apply)

Clapboard  Brick  Stucco  Stone  Wood Shingle  Terra Cotta   
Asphalt Siding  Asbestos Tile  Aluminum/Vinyl Siding  Artificial Stone   
Other: \_\_\_\_\_

Describe Outstanding Features:

6. **Significance**

**Areas of Significance:**

- agriculture
- architecture
- art
- commerce
- communications
- community planning
- conservation
- science
- social/humanitarian

- economics
- education
- engineering
- exploration/settlement
- industry
- invention
- landscape architecture
- theater
- other (specify)  
\_\_\_\_\_

- law
- literature
- military
- music
- philosophy
- politics/government
- religion
- transportation

Date Built: 1900

Date Altered (if applicable) \_\_\_\_\_

Builder/Architect: \_\_\_\_\_

Written Statement of Significance, including history of structure:  
(continue on a separate sheet, if necessary)

7. Major Bibliographical References

8. Form Prepared By:

Name: Mary A. Wasielewski Date: 9/19/01

Address: 2536 N. Summit Ave.

City: Milw. State: WI Zip Code: 53211

Telephone: 964-5404

Signature: Mary A. Wasielewski

ACKNOWLEDGMENT

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Personally came before me on this 10<sup>th</sup> day of September in the year of 2001  
the above named Mary A. Wasielewski Name of Person to me known to be the  
person who executed the foregoing instrument and acknowledge the same.

Subscribed and sworn before me

A.T. Wasielewski  
Signature of notary

Notary Public, State of Wisconsin

My commission is/expires: permanent

Milwaukee Historic Preservation Commission  
Department of City Development  
809 North Broadway  
Milwaukee, WI 53202

414.286-5705

STATE OF WISCONSIN: CITY OF MILWAUKEE

BEFORE THE HISTORIC PRESERVATION COMMISSION  
OF THE CITY OF MILWAUKEE

---

IN THE MATTER OF the Interim Historic  
Designation Petition with Respect to Properties  
Located at 2502 East Webster Street, 2512 East  
Webster Street, 2560-62 North Stowell Avenue,  
2566 North Stowell Avenue and 2570 North  
Stowell Avenue in the 3<sup>rd</sup> Aldermanic District  
of the City of Milwaukee Pursuant to § 308-81-10.5,  
Milwaukee Code of Ordinances

File No. \_\_\_\_\_

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CONSOLIDATED RESPONSE AND AFFIRMATIVE DEFENSES  
OF PROPERTY OWNERS TO  
INTERIM HISTORIC DESIGNATION PETITIONS  
DATED SEPTEMBER 10, 2001

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The owners of the above properties, Daniel J. Katz, John B. Crichton, Thomas A. Hauck and Katz Properties, Inc. (collectively the "Respondents") by Friebert, Finerty & St. John, S.C., their attorneys, respond to the Interim Historic Designation Petition dated September 10, 2001 (the "Petition") as follows:

1.

The Respondents are investors engaged in the real estate business in the Milwaukee metropolitan area and are owners of the properties described in the Petition. Respondents maintain an office for the conduct of their real estate investment business at 316 East Silver Spring Drive, Milwaukee, Wisconsin 53217.



2.

The Respondents are the owners of the property designated in the Petition. The Petition was filed on or about September 10, 2001 by Mary A. Wasielewski (the "Petitioner") who resides at 2536 North Summit Avenue, Milwaukee, Wisconsin 53211 who is not an owner nor a person having any interest in the properties designated.

3.

The Petition requests interim historic designation for five separate properties described by street address as follows: 2502 East Webster Place; 2512 East Webster Place; 2560-62 North Stowell Avenue; 2566 North Stowell Avenue; and 2570 North Stowell Avenue (collectively referred to herein as the "Stowell/Webster Properties"). The Petitions further set forth a legal description for the Properties, but such legal description does not conform with the street addresses given.

4.

The Petitions appear to be duplicate petition forms with the only changes being the street address of the property and the date of construction. The Petitions provide no detail as to the background of the property, nor does it indicate any areas of significance under § 308.81, Milwaukee Code of Ordinances ("Ordinances") that would warrant consideration of the Properties as historic or architecturally significant.

5.

The architectural significance of the Stowell/Webster Properties is minimal, if not non-existent. The Properties are in rather poor physical condition by reason of their age rather than the degree of care and maintenance. Continuing to maintain the Stowell/Webster Properties would place an undue burden upon the Respondents for which



no compensation is provided by the Historic Preservation Commission (the "Commission") or the City of Milwaukee (the "City"). In addition, other structures are located in the immediate vicinity of the Stowell/Webster Properties, and those buildings just as appropriately identify and serve as an example of whatever distinguishing characteristics the Petitioner believes exist.

6.

The historical significance of the Stowell/Webster Properties is non-existent. The Properties are average residential buildings and are not notable from a historical point of view and were not the site of any historical event or occurrence which would make them worthy of historic designation.

7.

Aside from the foregoing, the Stowell/Webster Properties bear none of the other significant features or characteristics described in § 308-81-2.e.-9 and f-2, f-4 and h., Ordinances.

#### AFFIRMATIVE DEFENSES

8.

[Inadequate showing of entitlement to interim designation]

The Petition fails to state adequate facts upon which the relief of interim designation sought by the Petition can be granted by the Commission.

9.

[Overriding interest of the Respondents]

The interest of the Respondents in using the Stowell/Webster Properties for their own highest and best use purposes, consistent with the zoning ordinances of the City, far outweighs the interest of the public in preserving the buildings on the subject parcels.

10.

[Economic burden on Respondents]

The economic burdens visited upon the Respondents to maintain and possibly rehabilitate the Stowell/Webster Properties as historically designated or architecturally significant properties, would be substantial and far outweighs any public benefit from designating the Stowell/Webster Properties as historic or architecturally significant.

11.

[Substantive due process]

Section 308-81, Ordinances, as applied to the Stowell/Webster Properties, will constitute a partial taking of such property without just compensation in violation of the 5<sup>th</sup> and 14<sup>th</sup> Amendments of the United States Constitution and Article I, Section 13 of the Wisconsin Constitution in that historic or architectural designation will deprive the Respondents of the free use of their property without due process of law and will require the Respondents to spend additional sums of money for maintenance and repair, seriously interfering with the Respondents' ability to use the Stowell/Webster Properties for their highest and best use.

12.

[Denial of Equal Protection]

In addition, the equal protection rights of the Respondents will be violated because no compensation is provided for the partial taking of the Stowell/Webster Properties while for other takings undertaken by the City, or the Redevelopment Authority on behalf of the City, compensation is awarded.

13.

[Right to assemble parcel and inverse condemnation]

The Stowell/Webster Properties are located in an area adjoined by other properties owned by Respondents. The highest and best use of all of the parcels including the Stowell/Webster Properties would be stimulated by an assembly of these parcels in a uniform development consistent with other development in the immediate area including the Respondents' adjoining property. To designate the Stowell/Webster Properties as historic or architecturally significant would prevent the Respondents from making a reasonable use of the property and will prevent Respondents from realizing a reasonable return on its considerable investment in all of its properties, limiting the economic viability of the properties for development purposes in any respect and thwarting the reasonable investment backed expectations of the Respondents. Historic designation under these circumstances, even on an interim basis, would constitute an inverse condemnation for which Respondents would be entitled to just compensation for a partial taking. The application of § 308-81, Ordinances, while permitting historical designation and findings of architectural significance, would nonetheless constitute a partial taking under the circumstances set forth. However, § 308-81, Ordinances, fails to establish any method for providing any compensation to the Respondents.

Wherefore, the Respondents requests that the Commission:

A. Determine not to grant interim historic designation to the Stowell/Webster Properties as historic or architecturally significant in any respect;

B. Dismiss the Petitions on file on this matter; and

C. Grant the Respondents such other relief as may be appropriate or proper under the circumstances.

Dated at Milwaukee, Wisconsin this 14th day of September, 2001.

FRIEBERT, FINERTY & ST. JOHN, S.C.

John D. Finerty

State Bar No. 1009840

S. Todd Farris

State Bar No. 1006554

Brian C. Randall

State Bar No. 1029064

By:



John D. Finerty

Attorneys for Respondent



Department of City Development  
Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission

**Julie A. Penman**  
Commissioner  
**Michal A. Dawson**  
Deputy Commissioner

September 18, 2001

**CERTIFIED MAIL**

Daniel J. Katz  
John B. Crichton  
Thomas A. Hauck  
316 E. Silver Spring Drive  
Milwaukee, WI 53217

Dear Gentlemen:

**RE: Interim Historic Designation for 2502 E. Webster Pl.**

On September 18, 2001 the Historic Preservation Commission conducted a public hearing on the Interim Historic Designation Petition for the above property. After hearing the testimony, the Commission voted to impose Interim Historic Designation in accordance with the provisions of Section 308-81 of the Milwaukee Code of Ordinances (attached).

As a result, unless you successfully appeal the Commission's Interim Historic Designation to the Common Council, during the next 180 days the Commission will fully study the site, hold another public hearing and, if appropriate, make a recommendation to the Common Council that the site be permanently designated. The Common Council will take final action of the Commission's Recommendation within that same 180-day period. Section 308.81 (10.5) provides, however, that the owner may appeal the Commission's decision to impose interim designation by filing a signed and acknowledge petition with the City Clerk within five (5) days of the date of the Commission's action asking for a review of the Commission's decision.

If you have questions, please contact Brian J. Pionke, Historic Preservation Officer, at 286-5705.

Sincerely,

Julie A. Penman  
Executive Secretary  
Historic Preservation Commission

RECEIVED  
FRIEBER  
& ST...

C Alderman Michael D'Amato  
John Finerty

SEP 20 2001

chatal/word/burkes subdivision/  
2502 E. Webster ltr 09-18-01

809 North Broadway, Milwaukee, Wisconsin, Phone (414) 286-5900  
Mailing Address: P.O. Box 324, Milwaukee, WI, 53201-0324  
Internet Address: [www.mkedcd.org](http://www.mkedcd.org) Business Information: [www.milwaukeebiz.com](http://www.milwaukeebiz.com)  
T.D.D. Numbers: Rent Assistance 286-2921 and Community Services 286-3504





Department of City Development

Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission

**Julie A. Penman**  
Commissioner

**Michal A. Dawson**  
Deputy Commissioner

September 18, 2001

**CERTIFIED MAIL**

Daniel J. Katz  
John B. Crichton  
Thomas A. Hauck  
316 E. Silver Spring Drive  
Milwaukee, WI 53217

Dear Gentlemen:

**RE: Interim Historic Designation for 2560-62 N. Stowell Ave.**

On September 18, 2001 the Historic Preservation Commission conducted a public hearing on the Interim Historic Designation Petition for the above property. After hearing the testimony, the Commission voted to impose Interim Historic Designation in accordance with the provisions of Section 308-81 of the Milwaukee Code of Ordinances (attached).

As a result, unless you successfully appeal the Commission's Interim Historic Designation to the Common Council, during the next 180 days the Commission will fully study the site, hold another public hearing and, if appropriate, make a recommendation to the Common Council that the site be permanently designated. The Common Council will take final action of the Commission's Recommendation within that same 180-day period. Section 308.81 (10.5) provides, however, that the owner may appeal the Commission's decision to impose interim designation by filing a signed and acknowledge petition with the City Clerk within five (5) days of the date of the Commission's action asking for a review of the Commission's decision.

If you have questions, please contact Brian J. Pionke, Historic Preservation Officer, at 286-5705.

Sincerely,

Julie A. Penman  
Executive Secretary  
Historic Preservation Commission

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& S...

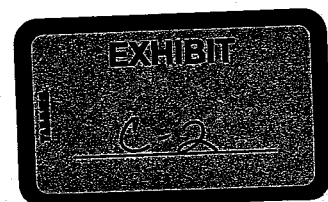
C Alderman Michael D'Amato

~~John Finerty~~

SEP 20 2001

chatal/word/burkes subdivision/  
2560-62 n stowell ltr 09-18-01

809 North Broadway, Milwaukee, Wisconsin, Phone (414) 286-5900  
Mailing Address: P.O. Box 324, Milwaukee, WI, 53201-0324  
Internet Address: [www.mkedcd.org](http://www.mkedcd.org) Business Information: [www.milwaukeebiz.com](http://www.milwaukeebiz.com)  
T.D.D. Numbers: Rent Assistance 286-2921 and Community Services 286-3504





Department of City Development

Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission

**Julie A. Penman**  
Commissioner

**Michal A. Dawson**  
Deputy Commissioner

September 18, 2001

**CERTIFIED MAIL**

Daniel J. Katz  
John B. Crichton  
Thomas A. Hauck  
316 E. Silver Spring Drive  
Milwaukee, WI 53217

Dear Gentlemen:

**RE: Interim Historic Designation for 2566 N. Stowell Ave.**

On September 18, 2001 the Historic Preservation Commission conducted a public hearing on the Interim Historic Designation Petition for the above property. After hearing the testimony, the Commission voted to impose Interim Historic Designation in accordance with the provisions of Section 308-81 of the Milwaukee Code of Ordinances (attached).

As a result, unless you successfully appeal the Commission's Interim Historic Designation to the Common Council, during the next 180 days the Commission will fully study the site, hold another public hearing and, if appropriate, make a recommendation to the Common Council that the site be permanently designated. The Common Council will take final action of the Commission's Recommendation within that same 180-day period. Section 308.81 (10.5) provides, however, that the owner may appeal the Commission's decision to impose interim designation by filing a signed and acknowledge petition with the City Clerk within five (5) days of the date of the Commission's action asking for a review of the Commission's decision.

If you have questions, please contact Brian J. Pionke, Historic Preservation Officer, at 286-5705.

Sincerely,

Julie A. Penman  
Executive Secretary  
Historic Preservation Commission

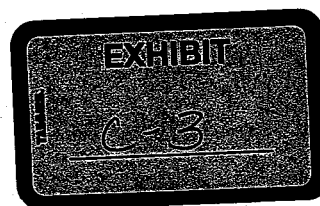
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FRIEBER & ST. JOHN, S.C.

C Alderman Michael D'Amato  
John Finerty

SEP 20 2001

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2566 n stowell ltr 09-18-01

809 North Broadway, Milwaukee, Wisconsin, Phone (414) 286-5900  
Mailing Address: P.O. Box 324, Milwaukee, WI, 53201-0324  
Internet Address: [www.mkedcd.org](http://www.mkedcd.org) Business Information: [www.milwaukeebiz.com](http://www.milwaukeebiz.com)  
T.D.D. Numbers: Rent Assistance 286-2921 and Community Services 286-3504





Department of City Development

Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission

**Julie A. Penman**  
Commissioner

**Michal A. Dawson**  
Deputy Commissioner

September 18, 2001

**CERTIFIED MAIL**

Daniel J. Katz  
John B. Crichton  
Thomas A. Hauck  
316 E. Silver Spring Drive  
Milwaukee, WI 53217

Dear Gentlemen:

**RE: Interim Historic Designation for 2570 N. Stowell Ave.**

On September 18, 2001 the Historic Preservation Commission conducted a public hearing on the Interim Historic Designation Petition for the above property. After hearing the testimony, the Commission voted to impose Interim Historic Designation in accordance with the provisions of Section 308-81 of the Milwaukee Code of Ordinances (attached).

As a result, unless you successfully appeal the Commission's Interim Historic Designation to the Common Council, during the next 180 days the Commission will fully study the site, hold another public hearing and, if appropriate, make a recommendation to the Common Council that the site be permanently designated. The Common Council will take final action of the Commission's Recommendation within that same 180-day period. Section 308.81 (10.5) provides, however, that the owner may appeal the Commission's decision to impose interim designation by filing a signed and acknowledge petition with the City Clerk within five (5) days of the date of the Commission's action asking for a review of the Commission's decision.

If you have questions, please contact Brian J. Pionke, Historic Preservation Officer, at 286-5705.

Sincerely,

Julie A. Penman  
Executive Secretary  
Historic Preservation Commission

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C Alderman Michael D'Amato

~~John Finerty~~

SEP 20 2001

