

Bruce & DJ Golembiewski
W192 S6837 Churchill CT
Muskego, WI 53150

CITY OF MILWAUKEE

2001 APR 16 AM 10:38

RONALD D. LEONHARDT
CITY CLERK

April 4, 2001

City Clerk
Attention Claims
200 E. Wells St.,
Room 205
Milwaukee, WI 53202-3567

Dear City Clerk,

The reason for this claim is the following: Last year we were looking for land adequate to build duplexes on. We found a parcel listed for sale located at 2674 S. 31 Street. It was listed as being zoned RD-40. I asked the Realtor what RD-40 meant and she said residential one to four families. I spoke to Cindy and Jan at 414 286-2854 and 414 286-2853 at the City and they confirmed the property was zoned RD-40 and "res" was noted on the City tax records. We then placed an offer to purchase the land knowing we could build our two duplexes on it.

Our closing on 2674 S. 31 Street took place on December 15, 2000. We then had the parcel re-certified from three lots that were approximately 30' x 120' to two lots that are approximately 45' x 120'. Our re-certification surveys arrived to us via the USPS on January 29, 2001. On January 31, 2001, we took this information to Planning and Administration for processing and we were informed, by John Hisloff, the property was split zoned. The north 2/3's of the property is zoned LD-40 and the south 1/3 is zoned PD-40. Years ago a bar/restaurant occupied the north 2/3's and parking occupied the south 1/3. We were told because of the zoning we are unable to build the two duplexes we had purchased the property for. We must have the south 1/3 rezoned. We started the process of having the property re-zoned. We were told this would be an expensive and lengthy process. When we inquired as to what could be done to defray our costs and speed up the process, John Hisloff said we could ask our Alderman to sponsor us through re-zoning. Alderman Bob Donovan, when contacted by us, agreed to sponsor us. He felt it would be good for the neighborhood to have these two duplexes built on this vacant piece of land.

Part of the re-zoning process requires that the neighboring residents be notified of any and all re-zoning petitions. Upon this notification several residents opposed the duplexes. They would rather see a vacant piece of land there. They were worried about the lack of parking and absentee landlords. We were

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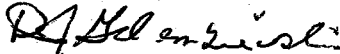
not notified of this opposition. On March 13, 2001, Alderman Bob Donovan had our petition to re-zone tabled. Again, we were unaware of this.

On March 20, 2001, we contacted Vanessa Koster, assuming that approval from the Common Council was given, and she then brought us up to speed as to what had taken place. We then contacted Alderman Donovan and he informed us he would no longer support us in our petition to re-zone. He did invite us to a neighborhood meeting regarding our issue being held that evening at 7:00 p.m. At the meeting we had the opportunity to assure the neighbors that most people purchasing a duplex of that value would probably be owner occupants. They asked if we could guaranty that and we told them no. Therefore, Alderman Donovan withdrew his sponsorship and at the April 4, 2001 meeting moved to file our petition. The board agreed with Alderman Donovan.

Without the re-zoning we can build only one duplex and have a vacant piece of land next to it on the corner that we are able to do nothing with. Had we known all this in the first place we would never have purchased the property.

We therefore request, due to the facts presented, the City of Milwaukee purchase the property back from us at our sale price of \$25,528.21 plus our expenses to date totaling \$1,181.48. Please refer to the attached page for itemization of our expenses.

Sincerely,



Bruce & DJ Golembiewski

Itemization of expenses and purchase price of property located at 2674 S. 31 Street, Milwaukee, WI.

Land purchase price	\$25,528.21
Certified Survey	\$400.00
Engineer fee (City of Milwaukee)	\$150.00
Re-zoning Application fee (City of Milwaukee)	\$49.00
Register of Deeds (City of Milwaukee)	\$14.00
Permit Application fees x 2 (City of Milwaukee)	<u>\$568.48</u>
Total Claim requested	\$26,709.69