



CITY OF MILWAUKEE
02 SEP 20 PM 4:05
RONALD D. LEONHARDT
CITY CLERK

September 20, 2002

Deborah C. Tomczyk, Esq.
Direct Dial: 414-298-8331
dtomczyk@reinhartlaw.com

DELIVERED BY MESSENGER

Ronald D. Leonhardt, City Clerk
City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202

Dear Mr. Leonhardt:

Re: Common Council File No. 020785

I enclose petitions executed on behalf of the Milwaukee Area Technical College ("MATC") and Weigel Broadcasting Co. ("CBS 58") protesting adoption of Common Council File No. 020785, a substitute ordinance relating to zoning regulations for existing television towers. If adopted, this file would allow the height of all towers used for television broadcasting on October 1, 2002 to be increased under certain circumstances without approval from the Board of Zoning Appeals ("BOZA") or the Department of City Development. Most immediately, the file would permit Hearst-Argyle ("Channel 12") to extend its tower height to add antenna capacity without even investigating co-location opportunities on other existing towers, much less making "every reasonable effort" to co-locate as required under Milwaukee Code of Ordinances section 295-14-17.

Simply put, there is ample existing television antenna capacity available in the City of Milwaukee; the extension of the Channel 12 tower is unnecessary. The two newest towers in the City, the MATC tower and the CBS 58 tower, were required by BOZA to be designed and constructed to accommodate additional antennas. The Common Council enacted detailed amendments to the City's Comprehensive Plan and to the City's zoning code to encourage co-location of antennas on existing towers. BOZA has twice denied Channel 12's application to extend the height of its tower because of the clearly stated policies and provisions of the City's Comprehensive Plan and zoning code. Channel 12 should not be permitted to circumvent the policies

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established by the Common Council, and the actions of BOZA in implementing those policies, through this proposed zoning amendment.

The purpose of submitting the enclosed petitions is to require a three-fourths vote of the Common Council to approve File No. 020785, pursuant to Milwaukee Code of Ordinances section 295-61-2. MATC owns the television tower located at 4350 North Humboldt Avenue. CBS 58 owns the television tower located at 5215 North Milwaukee River Parkway. There are five other television towers located in the City of Milwaukee and currently in use: the Channel 12 tower; the WTMJ-4 tower on Capitol Drive; the WVTV/WB-18 tower in Estabrook Park; the WCGV-TV/UPN tower on Capitol Drive; and the tower on top of the Hilton Hotel on Wisconsin Avenue, on which WMKE-CA is currently broadcasting. (The WITI-Fox 6 tower is located in Shorewood.) Accordingly, the enclosed petitions represent two out of the seven towers affected by the proposed ordinance or 28.57% of the affected property owners, which exceeds the 20% threshold required by section 295-61-2.

Please transmit these protests to the Common Council in advance of their vote on File No. 020785. Thank you.

Yours very truly,


Deborah C. Tomczyk

MW901302DCT:CMW

Encs.

cc Mr. Michael Rosen
Mr. Norman Shapiro

**PETITION IN PROTEST
OF ZONING REGULATIONS FOR
EXISTING TRANSMISSION TOWERS
SET FORTH IN FILE NO. 020785**

September 18, 2002

DELIVERED BY MESSENGER

To: Ronald D. Leonhardt, City Clerk
City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202


Mr. Leonhardt:

The undersigned are the owners of property located at 4350 North Humboldt Avenue in the City of Milwaukee. Such property is affected by the proposed change in zoning regulations for existing television towers used to transmit or receive television signals set forth in File No. 020785.

The undersigned are submitting this protest petition to object to adoption of the proposed changes in zoning regulations for existing television towers set forth in File No. 020785. Accordingly, the undersigned are submitting this petition pursuant to Milwaukee Code of Ordinances section 295-61-2 to require a favorable vote of at least three-fourths of the members of the Common Council voting on any such proposed change.

Respectfully submitted,

MILWAUKEE AREA TECHNICAL
COLLEGE

BY 
Darnell Cole, President

**PETITION IN PROTEST
OF ZONING REGULATIONS FOR
EXISTING TRANSMISSION TOWERS
SET FORTH IN FILE NO. 020785**

September 18, 2002

DELIVERED BY MESSENGER

To: Ronald D. Leonhardt, City Clerk
City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202

Mr. Leonhardt:

The undersigned is the owner of property located at 5215 North Milwaukee River Parkway in the City of Milwaukee. Such property is affected by the proposed change in zoning regulations for existing television towers used to transmit or receive television signals set forth in File No. 020785.

The undersigned is submitting this protest petition to object to adoption of the proposed changes in zoning regulations for existing television towers set forth in File No. 020785. Accordingly, the undersigned is submitting this petition pursuant to Milwaukee Code of Ordinances Section 295-61-2 to require a favorable vote of at least three-fourths of the members of the Common Council voting on any such proposed change.

Respectfully submitted,

WEIGEL BROADCASTING CO.

BY Norman Shapiro
Norman Shapiro, President

State of Illinois)
 : SS
Cook County)

This instrument was acknowledged before me on September 18TH, 2002
by Norman Shapiro as President of Weigel Broadcasting Co.

[Seal]

Carol Zucchini
(_____)
Notary Public, State of Illinois
My commission 5/24/03

