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Principal Assistant Corporation Counsel

August 23, 2001

Mr. Ron Leonhardt
City Clerk
City of Milwaukee
200 East Wells Street
Milwaukee, WI 53202

Re: Appeal of 8/20/01 Historic Preservation Commission Decision Regarding of U.S. Coast Guard Station, 1600 N. Lincoln Memorial Drive: Interim Historical Designation

Dear Mr. Leonhardt:

Enclosed please find the original and a copy of the Appeal Petition, relative to the above matter.

Please file the original Appeal Petition, confirm filing on the copy and return said copy in the self-addressed stamped envelope enclosed for your convenience.

By copy of this letter, we are serving copies of the Appeal Petition upon the City Attorney's office and the Historic Preservation Commission.

Thank you for your cooperation.

Sincerely yours,

JOHN E. SCHAPEKAHM
Principal Assistant
Corporation Counsel

JES/lcw
Enclosures

cc: Attorney Harry Stein, City Attorney
Historic Preservation Commission
County Executive F. Thomas Ament
Supervisor Sheila Aldrich
Supervisor Penny Podell
Ms. Susan L. Baldwin, Milwaukee County Director of Parks

RONALD D. LEONHARDT
CITY CLERK
01 AUG 24 AM 11:38
CITY OF MILWAUKEE

APPEAL PETITION

Milwaukee County by Susan L. Baldwin, statutorily appointed Director of Parks, Recreation and Culture under whose control the building in question is assigned, by the Office of the Milwaukee County Corporation Counsel, attorneys for Milwaukee County and Susan L. Baldwin, does hereby object to and appeal to the Common Council of the City of Milwaukee the August 20, 2001 decision of the Historical Preservation Commission concerning granting interim Historical Preservation status to the Former U.S. Coast Guard Station, 1600 N. Lincoln Memorial Drive, Milwaukee, Wisconsin.

The grounds for this appeal are that:

1) The criteria for the finding were not met;

2) The finding creates a hardship on the community utilizing McKinley Marina and surrounding parklands. The Milwaukee County Parks Department and Milwaukee County officials have been working with the community on plans to redevelop the park. The interim designation prevents the department from completing planning for this area of the park and will delay future park development;

3) The finding creates a fiscal hardship on Milwaukee County. The high cost of preservation, without having a building whose location and design meets the needs of the community, is not fiscally responsible to the taxpayers;

4) If the findings of the Historical Preservation Commission are upheld, effectively and practically, what would remain would be a building that was no longer functional nor capable of meeting the current needs of the community.

5) The City lacks jurisdiction over Milwaukee County, over its parks and parklands, pursuant to §27.05, Wis. Stats., taken together with the Supreme Court decision in Green County v. Monroe, 3 Wis.2d 196 (1958) and §44.42, Wis. Stats.

Dated at Milwaukee, Wisconsin this 23rd day of August, 2001.

John E. Schapekahm

Verification/Acknowledgment
John E. Schapekahm, being first duly sworn under oath, hereby states that the contents of this petition as true and correct to the best of his knowledge.

John E. Schapekahm

Signed and sworn to before me this 23 day of August 2001

Notary Public, Milwaukee, Wisconsin
My Commission ~~Expires~~ is permanent

CITY OF MILWAUKEE
01 AUG 24 AM 11:38
RONALD D. LEONHARDT
CITY CLERK