



Office of the Common Council

Ald. Julia Kerr, District 13

Room 417
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3345
PH 608 266 4071
FAX 608 267 8669
TTY/Textnet 866 704 2340
district13@cityofmadison.com

October 16, 2009

Dear Neighbors,

I am writing to let you know about a zoning matter related to Schmidt's Auto at 1621 Beld Street. As I know you are aware, Schmidt's has been operating at this location for some time. The operation was originally approved by the City of Madison as a conditional use in 1994 with another amendment approved in 1998.

Unfortunately, the city made a mistake in both 1994 and 1998 by overlooking the fact that the location did not meet the 500-foot distance from a residential district requirement to qualify for a conditional use.

This error was recently brought to the city's attention. In order to correct the city's mistake, it is now necessary to amend the Madison Zoning Code retroactively so that at the time of the 1994 approval, the 500-foot distance from a residential district was not a requirement. If this amendment is not adopted, Schmidt's Auto will not be able to legally operate at their current location.

This is obviously quite unusual which is why I bring it to your attention. I am sponsoring this ordinance change, as I believe the city was in error and Schmidt's has been operating in good faith since 1994 by relying on our original approval.

The anticipated schedule for the city's consideration of this change is as follows: Plan Commission hearing on November 16, 2009 (Room 260, Madison Municipal Building) and final action by the Madison Common Council on December 8, 2009 (Room 201; City-County Building). Of course, both these meetings are open to the public and you are welcome to attend and register your position and/or speak.

In the event that the schedule changes, those wishing to attend either meeting should check the city website at: <http://www.cityofmadison.com/cityHall/WeeklySchedule> to confirm that the item is on the agenda. Alternatively, if you cannot attend but would like to comment, please feel free to send me an email or call. I will ensure that your comments are included in the public record.

If you have any questions or concerns, please do not hesitate to contact me directly by phone or email. You can also contact Matt Tucker, the City's Zoning Administrator, at 266-4569 or mtucker@cityofmadison.com with any questions or comments.

Sincerely yours,

Julia Kerr, Alder
Madison Common Council
District 13
Phone: 260-2661
Email: district13@cityofmadison.com

cc: Bob Stoffs, 914 Lawrence St, Madison, WI 53715, Bay Creek Neighborhood Association
Cheryl Roeben, 1808 Fisher St, Madison, WI 53713, Bram's Addition Neighborhood Association
Steve O'Lear, 1937 Fisher St, Madison, WI 53713, Bram's Addition Neighborhood Association
Matt Tucker, Zoning Administrator