

July 11, 2013
9431 County Road Y
Sauk City, WI 53583

City of Madison Board of Parks
Room 103
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

To Whom It May Concern:

This letter serves to inform you that my wife Ellen and I wish to appeal the violation stated in your letter of June 24th concerning our fence at a property we own at 1513 Waunona Way, Madison.


This fence was necessitated do to a neighbor who repeatedly drove his car and pulled his boat over the bike path creating large ruts in our lawn as he maneuvered around. For that reason we wanted to put the fence as close to the paved bike path as we could. The week of May 13th my tenant Mckenzie Klein after being transferred several times left a message for Greg at 608-261-4638 being assured that he was the person to talk to about this matter. Greg returned her call on May 21st at 7:47am. Her question to Greg was how close to the bike path can we put our fence since we did not want to be in violation and have to remove it. He said we could put it as close to the bike path as we wished as long as it was not on it. To which she replied that she wouldn't be able to put the fence on it anyways since it was paved.


She then asked how close our property came to the bike path and he replied that it went right up to the bike path and that our property was very oddly shaped for that reason. Since Mckenzie mentioned that putting the bike path on the fence wouldn't be possible because it was paved and he said our property came right up to the bike path we felt confident in our placement of the fence.

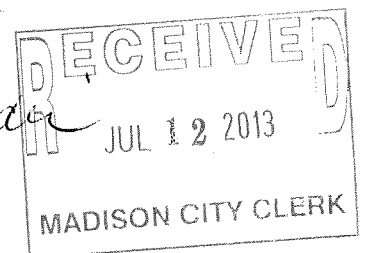
At the end of the conversation she said "so just to reiterate I can put it as close to the bike path and sidewalk as I want as long as it's not on it." Greg replied because it was a split rail fence she didn't need a permit and she didn't have to set it back from the sidewalk as she would if it were a privacy fence.

We went out of our way to make sure we were in compliance and because I am 66 years old and installed this fence myself with the help of my tenant I do not want to have to move it, and so respectfully request a variance on this matter. I understand that I am past the 15 days mentioned in the letter but in a conversation today with George Hank he said that because I didn't receive the letter until July 3rd I could still file an appeal.

Sincerely,


Stephen C. Schneider


Ellen R. Schneider





Department of Planning and Community & Economic Development
Building Inspection Division

Website: www.cityofmadison.com

June 24, 2013

STEPHEN SCHNEIDER
ELLEN SCHNEIDER
9431 HWY Y
SAUK CITY WI 53703

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P.O. Box 2984
Madison, Wisconsin 53701-2984
TTY/TEXTNET 866 704 2318
FAX 608 266 6377
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Subject: Fence on City Park Land

Dear Mr. & Ms. Schneider:

It has come to my attention that you or the occupants of 1513 Waunona Way have installed a fence along the bike path on the City park land in Paunack Park that adjoins your property. It is a violation of Madison General Ordinances Section 8.15(1) to install a fence on park lands. The installation of the fence has been declared a public nuisance and each violation is subject to a forfeiture of up to \$500.00 per day the violation continues. With this letter, the City is directing you to abate the nuisance by removing the fence from the City park land. Failure to remove the fence by July 28, 2013, will cause the City to abate the public nuisance by removing the fence. The cost of abatement shall be assessed as a special charge to the owner, occupant, or person causing, maintaining, or permitting the public nuisance. I have enclosed a copy of an aerial view and photo which shows the location of the fence and its relationship to the property line. Please contact Charlie Romines at (608) 267-8804 if you have specific questions regarding this letter.

You have the right to appeal this allegation of violation to the City of Madison Board of Park Commissioners within 15 days after the mailing of this Notice. Such appeal must be in writing and must inform the Commission of the reasons why you believe this order has been issued in error. If you wish to appeal, MGO 8.15 specifies that the appeal be filed with the City Clerk at 210 Martin Luther King Jr. Blvd., Room 103, Madison, WI 53703.

Sincerely,

George Hank
Director, Building Inspection Division

cc: Kevin Briski, Parks Superintendent