



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

TO: Mayor Paul R. Soglin
Madison Common Council

FROM: William A. Fruhling, Interim Director, Planning Division

DATE: February 1, 2013

SUBJECT: Protest Petition Against Zoning Map Amendment Legislative File ID 28711, Rezoning Property at 4902 and 4908 Hammersley Road.

On Thursday, January 31, 2013, the City Clerk received two protest petitions against the zoning map amendment for properties located at 4902 and 4908 Hammersley Road, Legislative File ID 28711. The petitions have been added to the legislative file.

The subject zoning map amendment was filed on October 17, 2012 under the 1966 Zoning Code and is subject to review under that ordinance. References to ordinances contained in this memo correspondingly refer to the 1966 code.

The protest petition have been filed in accordance with the provisions outlined in Section 28.12(10)(g) of Madison General Ordinances.

The first petition was filed pursuant to the provision in the ordinance that in the event that a written protest against the proposed map amendment is filed with the City Clerk and is duly signed and acknowledged by the owners of twenty percent (20%) or more of the area of the land immediately adjacent extending one-hundred (100) feet therefrom, such map amendment shall not become effective except by a favorable vote of three-fourths (3/4) of the members of the Common Council voting on the proposed change. This first protest petition has been reviewed by the City Attorney's Office and the Planning Division and has been found to be in compliance with Section 28.12(10)(g). The petition represents 20% or more of the owners of the area of the land immediately adjacent extending one-hundred (100) feet from the proposed zoning map amendment.

The second petition was filed pursuant to the provision in the ordinance that in the event that a written protest against the proposed map amendment is filed with the City Clerk and is duly signed and acknowledged by twenty percent (20%) of the registered electors residing within all buildings any part of which is on land immediately adjacent extending one-hundred (100) feet therefrom, such map amendment shall not become effective except by a favorable vote of three-fourths (3/4) of the members of the Common Council voting on the proposed change. This second protest petition has been reviewed by the City Attorney's Office and the Planning Division and has been found to be in compliance with Section 28.12(10)(g). The petition represents 20% or more of the registered electors residing within all buildings any part of which is on land immediately adjacent extending one-hundred (100) feet from the proposed zoning map amendment.

Therefore, in order to approve the zoning map amendment, Legislative File ID 28711, a favorable vote of three-fourths (3/4) of the members of the Common Council voting on the proposed change shall be required.

If anyone has questions regarding the proposed petition, please let me know.

cc: Michael May, City Attorney
Maureen O'Brien, Assistant City Attorney
Steven R. Cover, Director, Department of Planning and Community and Economic Development
Robert Feller, Iconica
Christopher J. Dodge, Fuhrman-Dodge, SC
Tim Parks, Planning Division
Matt Tucker, Zoning Administrator