

July 16, 2007

To the Honorable Common Council
Zoning, Neighborhoods and
Development Committee
City of Milwaukee

Dear Committee Members:

File No. 070231 relates to Board of Zoning Appeals and City Plan Commission consideration of applications for approval of various zoning-related matters.

This file (Proposed Substitute A) requires that each applicant for a zoning map amendment (except most overlay zones), planned development approval, use variance or special use permit submit to the city plan commission or the board of zoning appeals, as the case may be, a signed affidavit indicating whether the applicant is:

1. Delinquent in the payment of any property tax, special assessment, special charge or special tax due to the city, provided that all appeals of the tax, assessment or charge have been concluded or the time to appeal has expired.
2. A party against whom the city has an outstanding judgment, provided that all appeals of the judgment have been concluded or the time to appeal has expired.
3. A party against whom the city has outstanding health or building and zoning code violations or orders from the commissioner of health or commissioner of neighborhood services that are not actively being abated, provided that all appeals of orders to correct violations have been concluded or the time to appeal has expired.
4. A party who has been convicted of violating an order of the commissioner of health or commissioner of neighborhood services within the past year, provided that all appeals of the conviction have been concluded or the time to appeal has expired.
5. The owner of a premises found to be in violation of s. 80-10 to whom the commissioner of neighborhood services has charged the costs of police enforcement, pursuant to s. 80-10-4, provided that all appeals of these charges have been concluded or the time to appeal has expired.

If the applicant for approval of the zoning matter is a corporation, partnership, limited liability company or nonstock corporation, the affidavit shall be submitted by a duly authorized officer or director of the corporation, a duly authorized partner, general partner or limited partner of the partnership, a duly authorized member or manager of the limited liability company, or a duly authorized officer or director of the nonstock corporation. Such affidavit shall attest to whether each officer, director and major shareholder of the corporation, each partner, general partner and limited partner of the partnership, each member and manager of the company, or each officer and director of the nonstock corporation has delinquent property taxes, unpaid judgments, outstanding code violations, etc.

Since the proposed amendment has no fiscal or timing impacts, the City Plan Commission at its regular meeting on July 16, 2007, recommended approval of the file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

c: E. Richardson