

November 29, 2005

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

Dear Committee Members:

File No. 041402 is a substitute ordinance creating an exception from the 2,500 foot spacing requirement for adult family homes, small group shelter care facilities, small foster homes, group homes and community living arrangements that would only apply if all residents of the facility were disabled.

In conjunction with the creation of the exception for facilities with disabled residents, this ordinance creates a zoning code definition of "disabled person".

This ordinance also eliminates a limited use standard for group homes, group foster homes and community living arrangements that requires that the use not be determined by the common council to be a nuisance, pursuant to the provisions of s. 62.23 (7)(i), Wis. Stats.

The Zoning Code Technical Committee reviewed this ordinance on November 22, 2005. The committee found that the proposed substitute ordinance met the required standards for legality, enforceability, administrative efficiency and consistency with the zoning code.

Since this amendment will provide some relief to those facilities that are currently protected by the Fair Housing Act, the city plan commission, at its special meeting of November 28, 2005, recommend that common council approve the substitute ordinance.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

File