

March 22, 2005

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

Dear Committee Members:

Attached is File No. 041505 being an ordinance relating to required board of zoning appeals findings for variance requests.

This ordinance is based upon recent decisions of the Wisconsin Supreme Court which revised the standard of hardship applicable to dimensional variances such as; setbacks, height, bulk, density of design requirements. The City Attorney has prepared this ordinance to conform the city's zoning code "hardship" definition to the standard established by the Court.

The Zoning Code Technical Committee reviewed this ordinance on February 4, 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 improve the enforcement of the zoning code, the City Plan Commission at its regular meeting on March 21, 2005 recommended that the attached ordinance be approved.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

File