

November 17, 2006

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

Dear Committee Members:

File No. 060585 relates to the restoration of certain nonconforming structures.

Presently, a nonconforming structure which has deteriorated or is damaged by fire or other casualty such that the ratio of the estimated cost of restoring the structure to its prior condition to the estimated cost of duplicating the entire pre-existing structure exceeds 50% may not be reconstructed unless such reconstruction will result in the structure conforming to all applicable regulations of the zoning regulations in which it is located and will not increase the dimensional nonconformity of the structure. An exception is provided for nonconforming principal residential structures.

This file provides that a nonconforming structure that was damaged or destroyed on or after March 2, 2006, by violent wind, vandalism, fire, flood, ice, snow, mold or infestation may be restored to the size, location and use that it had immediately before the damage or destruction occurred, regardless of the extent of the damage or destruction. In addition, the new structure may be larger than the nonconforming structure immediately before the damage or destruction if the larger size is necessary for the structure to comply with applicable state or federal requirements.

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, the City Plan Commission at its regular meeting on November 20, 2006, recommended approval of the file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

c: E. Richardson