



Department of City Development

Housing Authority
Redevelopment Authority
City Plan Commission
Historic Preservation Commission

Julie A. Penman
Commissioner

Michal A. Dawson
Deputy Commissioner

November 16, 2000

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

Dear Committee Members:

Attached is File No. 000796 being an ordinance relating to required board of zoning appeals findings for granting of special use approvals.

The attached ordinance amends the zoning regulations to add a fifth finding that the board must consider in reviewing a request for a special use. Currently the board uses the following 4 criteria:

1. Protection of Public Health, Safety and Welfare. The use will be designed, located and operated in a manner so that the public health, safety and welfare are protected.
2. Protection of Property. The use, value and enjoyment of other property in the neighborhood will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.
3. Traffic and Pedestrian Safety. Adequate measures have been or will be taken to provide safe pedestrian and vehicular access.
4. Consistency with Comprehensive Plan. The special use will be designed, located and operated in a manner consistent with the city's comprehensive plan.

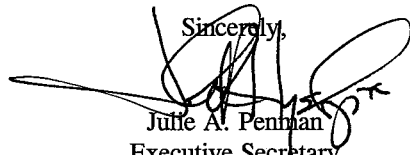
The proposed fifth criterion is "Overconcentration of Use. Operation of the use at the proposed location will not result in a concentration of establishments of this type in the neighborhood that is so high that the concentration will substantially impair or diminish property values or public health, safety and welfare in the neighborhood."

The Zoning Code Technical Committee met on September 27th to review this proposal. It found that the ordinance amendment was unnecessary since the provisions are already encompassed by existing language (Nos. 1 and 2 above) in the zoning ordinance.

A public hearing was held on November 13, 2000 at which time no objections to the proposal were expressed.

Based on this information, the City Plan Commission, at its regular meeting of November 13, 2000 recommended that the attached ordinance be placed on file.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie A. Penman', written over the printed name.

Julie A. Penman
Executive Secretary

City Plan Commission of Milwaukee

Attachment
File
ZTXLTR.000796.doc



Office of the City Clerk
Legislative Reference Bureau

Ronald D. Leonhardt
City Clerk

Barry J. Zalben
Manager

September 27, 2000

To the Honorable Committee on
Zoning, Neighborhoods & Development

Dear Committee Members:

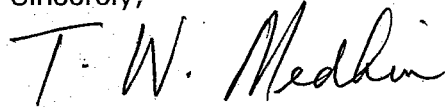
On September 27, 2000, the Zoning Code Technical Committee met to discuss Common Council File Number 000796, an ordinance relating to required board of zoning appeals findings for granting of special use approval. This proposed ordinance requires the making of a finding before granting approval of a special use that operation of the use at the proposed location will not result in a concentration of establishments of this type in the neighborhood such that it will substantially impair or diminish property values or public health, safety and welfare in the neighborhood.

The Committee found that the proposed ordinance amendment is unnecessary since the provisions are already encompassed in existing language in the Zoning Code, specifically in s. 295-59-5.5-c-1 and 2. These provisions require that no special use be granted by the Board of Zoning Appeals unless the board finds that:

1. The use will be designed, located and operated in a manner so that the public, health and welfare are protected.
2. The use, value and enjoyment of other property will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.

Thus, the Zoning Code Technical Committee moved that the proposed ordinance be forwarded to the Zoning, Neighborhoods and Development Committee to be placed on file.

Sincerely,

A handwritten signature in black ink, appearing to read "T. W. Medhin". The signature is written in a cursive style with a large initial "T" and "W".

Teodros W. Medhin, Ph.D., Chair
Zoning Code Technical Committee

cc: Ald. Bohl
John Hyslop
Thomas Gartner
Martin Collins
Harry Stein
Jeff Osterman
Barry Zalben
Greg Patin