



Legislation Details (With Text)

**File #:** 040633      **Version:** 0

**Type:** Ordinance      **Status:** Passed

**File created:** 9/1/2004      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 11/3/2004

**Effective date:**

**Title:** An ordinance relating to the granting of use variances by the board of zoning appeals.

**Sponsors:** THE CHAIR

**Indexes:** BOARD OF ZONING APPEALS, VARIANCES, ZONING

**Attachments:** 1. Zoning Code Comm Report.pdf, 2. Notice Published on 10-1-04 and 10-8-04 for CPC Mtg.PDF, 3. Fiscal Note.pdf, 4. Fiscal Analysis.pdf, 5. CPC Letter.pdf, 6. Notice Published on 11-19-2004.PDF

Date	Ver.	Action By	Action	Result	Tally
9/1/2004	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2004		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
10/1/2004	0	CITY CLERK	PUBLISHED		
10/14/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/14/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/3/2004	0	COMMON COUNCIL	PASSED	Pass	15:0
11/11/2004	0	MAYOR	SIGNED		
11/19/2004	0	CITY CLERK	PUBLISHED		

040633  
ORIGINAL

THE CHAIR  
An ordinance relating to the granting of use variances by the board of zoning appeals.

- 200-33-65-a am
- 200-33-65-b am
- 200-33-65-c rn
- 200-33-65-c cr
- 200-33-65-d rn
- 200-33-65-e rn
- 200-33-65-f rn
- 200-33-65-g rn
- 200-33-65-h rn
- 200-33-65-i rn
- 200-33-65-j rn
- 200-33-65-k rn

200-33-65-L rn  
295-201-675 am  
295-201-676 cr

This ordinance creates separate definitions for the zoning terms "dimensional variance" and "use variance". It further creates a fee schedule for use variance applications filed with the board of zoning appeals. This fee schedule is based on the square footage of the lot for which the use variance is requested. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 200-33-65-a of the code is amended to read:

**200-33. Fees.**

**65. ZONING, BOARD OF APPEALS.**

a. ~~[[Preapplication]]~~ >>Notice of appeal and application for review<< fee: \$100. An applicant filing under this subsection shall pay a ~~[[preapplication]]~~ >>filing<< fee which shall be applied as a credit toward any action requested by an applicant under pars. b to m. The preapplication fee is not refundable.

Part 2. Section 200-33-65-b of the code is amended to read:

b. >>Dimensional<< variances: \$100 per variance requested.

Part 3. Section 200-33-65-c to L is renumbered 200-33-65-d to m.

Part 4. Section 200-33-65-c of the code is created to read:

c. Use variances (per variance requested), based on lot area:

c-1. 0-10,000 square feet: \$300.

c-2. 10,001-20,000 square feet: \$600.

c-3. Over 20,000 square feet: \$900.

Part 5. Section 295-201-675 of the code is amended to read:

**295-201. Definitions.**

**675.** ~~[[VARIANCE]]~~ >>VARIANCE, DIMENSIONAL<< means permission from the board to depart from >>any of<< the literal requirements of this chapter >>except use regulations<< .

Part 6. Section 295-201-676 of the code is created to read:

**676.** VARIANCE, USE means permission from the board to depart from any of the use regulations of this chapter.

APPROVED AS TO FORM

Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: \_\_\_\_\_

Board of Zoning Appeals

LRB04139-1

JDO

08/02/04