



Residential Unit 100% Rebuild Statement

Permit & Development Center

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This general statement is a summary of the “rebuildable” provisions of Milwaukee's zoning ordinance relating to ALL residential dwelling units, in any zoning district within the City of Milwaukee. These provisions are found in Chapter 295 of the Milwaukee Code of Ordinances (the “Code”).

Within each zoning district, the Code enumerates 1) whether a residential use is permitted, and 2) the physical requirements for minimum lot area, lot size required for a specified number of units, etc. If the residential use of the land, the size of the lot, the number of dwelling units on the lot, and the structure itself meet the standards of the current code, the use would be considered to be conforming, and would be allowed to be 100% rebuilt as a matter of right.

In an effort to allow all residential properties within the City of Milwaukee to be rebuilt, the Milwaukee Common Council acted on May 19, 2000.

Subchapter 4 of the Code was revised - the part of the code that deals with non-conformities. The adopted revision allows nonconforming residential property to be **100% REBUILT if demolished, damaged by fire, or destroyed by other casualty**, provided that the following conditions are met:

1. A building permit for reconstruction is obtained within 18 months.
2. Reconstruction will not increase any dimensional nonconformity of the structure.
3. Reconstruction will not increase the number of dwelling units.

In conclusion, any legally established residential use within the City of Milwaukee, whether it conforms to the current Code standards or is non-conforming, **may be 100% REBUILT for the same residential use, density, number of buildings, and placement that exists at present.** No mention is made with respect to conformance with any other section of the revised Building and Zoning Code, Milwaukee Code of Ordinances and all other applicable ordinances.