



Board of Zoning Appeals

When you seek a building or occupancy permit from the Milwaukee Development Center, the plan examiner will check to determine if the use you plan for your property is permitted by Milwaukee's zoning ordinance. The use will fall into one of three categories: permitted, special use, or not permitted.

If the planned use is classified as a special use or is not permitted, the plan examiner will deny the building or occupancy permit application. You have the right to appeal the denial of the permit to the Board of Zoning Appeals.

The Board of Zoning Appeals (BOZA) has the authority to allow Special Uses, and to grant Variances from the literal requirements of the zoning ordinance, in other words, to allow uses that are not permitted by the code.

To help the Board determine whether to allow a Special Use or grant a variance to the code, you must submit a pre-application to BOZA. The application requires various supporting documents, such as plans and photographs. A booklet listing submittal requirements is available from the Development Center and the BOZA office, which is located on the first floor at 809 N. Broadway. There is a \$100 pre-application filing fee.

After you submit your pre-application materials, a staff group will review the

materials to determine if any more information is needed and whether there may be problems that could prevent approval of your request. You will receive a letter from BOZA with this information. Once your pre-application is complete, you will be eligible to file a formal appeal with BOZA and ask for a public hearing on the matter. (There is an additional filing fee for the formal appeal.) Once the appeal is scheduled for a public hearing, nearby property owners will be notified of the hearing and given the opportunity to comment. BOZA hearings are held approximately once/month.

At the public hearing, the Board reviews the materials you submitted, staff recommendations, and written comments. If the Board approves your request, you may proceed to get the permit(s) that had been denied to you. If the Board denies your request, you have the right to appeal the decision to Circuit Court within 30 days.

For more information about the operations of the Board of Zoning Appeals, please call (414) 286-2501. The BOZA general information booklet is available from the BOZA office and the Milwaukee Development Center.