

2013 DRAFTING REQUEST

Bill

Received: 6/12/2013 Received By: emueller
Wanted: As time permits Same as LRB:
For: Joel Kleefisch (608) 266-8551 By/Representing: Ashlee Moore
May Contact: Drafter: emueller
Subject: Local Gov't - zoning Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Kleefisch@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Nonconforming uses and manufactured home communities

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 6/28/2013			_____			
/P1	pgrant 7/26/2013	csicilia 7/26/2013	phenry 7/26/2013	_____	sbasford 7/10/2013		
/1				_____	lparisi 7/26/2013	lparisi 7/26/2013	

FE Sent For:

*None
needed*

<END>

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1 g/s 7/26/13
7/26 PHL
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1/?	emueller	7/11/13	7/10/13	==			
1/1	EJM 6/28/13	7/10		==			

FE Sent For:

<END>

Mueller, Eric

From: Gallagher, Michael
Sent: Tuesday, June 11, 2013 1:08 PM
To: Shovers, Marc; Mueller, Eric
Subject: FW: Draft Legislation

Marc and Eric: Is this yours? If so, could you contact Ashlee to let her know you are covering it? Thanks.

Mike

From: Moore, Ashlee
Sent: Tuesday, June 11, 2013 12:59 PM
To: Gallagher, Michael
Subject: Draft Legislation

Hey mike

Representative Kleefisch would like to draft a bill that addresses the problem outlined below. I think you are the one to go to for this since you are listed under Housing. I was wondering if you could draft legislation as indicated before---let me know if you have any questions 266-8552

Thanks!

Ashlee Moore
Research Assistant
Representative Joel Kleefisch
38th Assembly District

From: Ross Kinzler [<mailto:ross@housingalliance.us>]
Sent: Tuesday, April 02, 2013 9:57 AM
To: Moore, Ashlee
Cc: Joe Dentice Jr PHC CLM CHC (jdenticejr@att.net)
Subject: non-conforming uses

Ashlee,

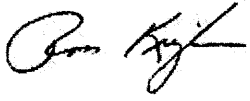
Joe Dentice is a member of my board and one of Joel's constituents. He has discussed the following with Joel and he agreed to support our request. Can you send this off to drafting?

Here is the problem in Town of Bradford v. Merriam, the Appeal Court ruled in a licensed mobile/manufactured home park if homes are replaced with homes that are 50% higher in value doing so wipes out the legal non-conforming status of a park. Our proposed fix is as follows:

Amend Section 62.23(7) to add:

"Nonconforming uses, manufactured home communities. Notwithstanding 62.23(7) the continued lawful use of a manufactured home community licensed under s.101.935 stats existing at the time of the adoption or amendment of a zoning ordinance may not be prohibited although the use does not conform with the provisions of the ordinance. Replacement of homes, infrastructure repairs or alterations may be made during its life. If the

nonconforming use of the licensed community is discontinued for a period of 12 months, any future use of the premises shall conform to the ordinance."



Ross Kinzler
Executive Director
Wisconsin Housing Alliance

608.255.3131 voice
608.255.5595 fax



RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 6/28/13

gen

1 AN ACT ...; relating to: nonconforming uses and manufactured home
2 communities.

Analysis by the Legislative Reference Bureau ✓

Under current law, cities, villages, certain towns (municipalities), and counties are authorized to enact zoning ordinances that regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for various purposes.

Also under current law, a zoning ordinance enacted by a municipality or county generally may not prohibit the continued lawful use of any building, premises, structure, or fixture for which the building, premises, structure, or fixture is used when the ordinance takes effect. In cities, villages, towns exercising village powers, and counties, the alteration or repair of, in excess of 50 percent of the assessed value, any existing building, premises, structure, or fixture to carry on any prohibited use within the district may be prohibited. Generally, if a nonconforming use of a building, premises, structure, or fixture is discontinued for 12 months, any future use of the building, premises, structure, or fixture must conform to the municipality's or county's zoning ordinance.

Under this bill, in cities, villages, and towns exercising village powers, a licensed manufactured home community that is a legal nonconforming use continues

X



TODAY



stays

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SM ✓

Coer Cat

1 AN ACT to create 62.23 (7) (ham) of the statutes; relating to: nonconforming
2 uses and manufactured home communities.

Analysis by the Legislative Reference Bureau

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Under this bill, in cities, villages, and towns exercising village powers, a licensed manufactured home community that is a legal nonconforming use continues

Parisi, Lori

From: Moore, Ashlee
Sent: Friday, July 26, 2013 1:12 PM
To: LRB.Legal
Subject: Draft Review: LRB -2523/1 Topic: Nonconforming uses and manufactured home communities

Please Jacket LRB -2523/1 for the ASSEMBLY.