



RE-OCCUPANCY

General Information

A Re-occupancy Permit (RO) is required when a business moves into an existing tenant space and the general use does not change. An RO is not required if an existing tenant expands or relocates to the immediate adjoining space or the same floor within the same building. A letter of notification to the Department of Community Development accompanied with a floor plan showing the proposed expansion is required. An RO is not required if the name of the business changes as a result of a buy-out or change in ownership. However, if the result in the buy-out or name change causes the use of the operation to change or expand, then a Use Approval – No Construction permit application is required along with the submittal of a detailed plan of operation.

The use approval process is authorized by City of New Berlin Municipal Code §275-24, which states that the use of any principal or accessory building, structure or land shall not be changed, extended, enlarged, altered or occupied; a site or premise shall not be altered, used, changed, modified, or occupied; and no grading undertaken until review and approval by the Plan Commission. The Administrative Permit process is authorized pursuant to the provisions of Section 275-17 (B) (9) of the City of New Berlin Zoning Ordinance.

Fees (non-refundable)

Retail/Commercial/Office/Institutional:	\$200.00 + \$15/1,000 sq.ft.	Filing Fee:	\$50.00
Industrial:	\$350.00	Filing Fee:	\$50.00

Procedure

Staff shall only review completed applications submitted with all required materials & information and shall only approve plans that meet all the requirements set forth in the Zoning Ordinance.

- 1. Pre-application conference (optional):** The purpose of the pre-application conference is to provide an opportunity for the applicant and staff to discuss the review process schedule, submittal requirements, the scope of the project, and compliance with the Zoning Ordinance. Staff opinions presented during pre-application meetings are informational only and do not represent a commitment on behalf of the City regarding the acceptability of the development proposal.
- 2. Application and determination of completeness:** All development applications shall be submitted to staff at the Permit Application Center (PAC). An application will be considered complete if it is submitted in the required number and form, includes all mandatory information, and is accompanied by the applicable fee. If an application is determined to be complete, the application shall be processed. If an application is determined to be incomplete by the Planner of the Day, the PAC shall reject the application specifying the deficiencies.
- 3. Staff review and Zoning Permit issuance are as follows:**

Step1: Once a submitted application is certified as complete, the Permit Application Center and the “Planner of the Day” shall refer the development application to the appropriate review agencies and/or City departments (engineering, inspection, fire, and planning) to review the development application.

Step 2: Print Zoning Permit with associated conditions and issue to the applicant upon presentation of receipt. The applicant shall schedule a building inspection and fire inspection for the Certificate of Occupancy at this time.

Step 3: Occupancy Inspection & Fire Inspection: Applicant must schedule an inspection through the Inspection Division at the time the Zoning Permit is issued.



4. **Plan Commission action:** Applicants may appeal reasons for denial or condition of approval of Zoning Permits issued by the PAC before the Plan Commission at the meeting date written on the application. The request for the appeal must be made in writing to the Director of Community Development no sooner than two weeks before the Plan Commission meeting. The Plan Commission may approve, approve with conditions, defer, table, deny with reason, refer to committee, or remove any applications from the agenda.

Disclaimer: If circumstances or concerns arise during further review by Code Compliance, Engineering, Fire and Inspection or Planning, applicant shall understand staff reserves the right to put a hold on the permit.

Application Check List

§275-24B Development Application

Completed Application

§275-20C Fees

Paid Fees

Schedule Inspection Date

§275-24C(2) Plan of Operation

A letter or report describing the project.

- The proposed use of the land, building and/or structures.
- Activities to occur both inside and outside all principal and accessory buildings.
- The frequency and duration of all activities, including the season, days, and hours of operation.
- The total number of employees and number of employees in largest shift.
- The estimated number of tenants.
- The number, size and type of all vehicles associated with the use.
- Number of vehicle trips or Traffic Impact Analysis if required by §275-58C.
- The expected date of business commencement.
- The proposed phasing of the project, if appropriate.

§275-24C(3) Site Plans

Site Plan drawn to a scale no greater than 1"=100' (4 copies required).

- Property boundaries and dimensions.
- Existing buildings and structures.
- Neighboring uses labeled.
- Zoning setbacks labeled.
- Parking areas, on-site/adjacent access drives and driveway locations for ingress & egress
- Loading and unloading areas.
- Pedestrian access.
- Traffic generation and circulation.
- Outside storage (dumpsters, inventory, trucks, rec. vehicles, etc).

§275-24C(4) Architectural Plans

Floor Plans at a scale no smaller than 1/8" = 1' (4 copies required).

Building Elevation can be in the form of a photograph (digital) (4 copies required).

§275-21B Incomplete Applications

- All of the information listed is required for a complete application.
- Staff may request additional or more detailed information to be provided for adequate review.
- If the required information is not included with the application, Staff will reject the application specifying the deficiencies.

§275-21C(2) Plan Revisions

- Based on comments from staff during the review process, the applicant may submit revised plans.
- The required number of copies shall be submitted for all revised plans.