



STAFF REPORT
WEST ALLIS PLAN COMMISSION
Wednesday, August 27, 2025
6:00 PM

6. Ordinance to amend Code Section 19.32 Principal uses to incorporate Recovery Residence use

Overview

The City was getting some calls and also some Facebook chatter about a residential property location at 3239 S. 121st St. Callers reported an alleged “Sober Living House.” The [property owner](#) is a Florida Company. The property owner of this site leases it as a recovery residence under the brand/model [oxford house](#).

The Recovery Residences also known as Sober Living homes are democratically run, self-supporting, and drug free homes serving men, women, and women with children. According to the Oxford website, The houses represent a remarkably effective and low-cost method of preventing relapse.

Services the program provides:

- Sober living
- Short-term housing
- Services for adults, young adults, teens, seniors, families with children, substance dependency, opioid dependency, alcohol dependency.
- Rent averages between \$125 - \$250 a week. Lengths of stay average about a year, but there is no pressure on residents in good standing to leave.
- Occupancy typically between 6-15 residents.

Staff Comment

In consult with our City Attorney’s Office we could try to use zoning to limit ["recovery residences,"](#) which is what the state statutes call them. That would only impact any new locations though; existing locations like the one in Orchard Hills would become legal nonconforming uses and allowed to continue operating.

At the last Common Council meeting Economic Development Committee requested staff to prepare a zoning ordinance amendment for Common Council consideration.

The ordinance concept being drafted will include:

- A definition of [Recovery residences](#)
- Considerations to limit future locations to certain zoning districts within the city. For example, to allow only within higher density residential or commercial districts.

There are currently two known locations in West Allis: <https://www.oxfordvacancies.com/>. Both West Allis locations in the listing indicate a capacity of up to 9 people.

oxfordVacancies
Home
How-To
House Login
Apply Online

Enter a location or click on a house name for directions.

State
County
Gender
Show Only Vacancies
Show Map

WI
Milwaukee
All
☐
☐

west allis
Search
Milwaukee, WI 53227, USA
Search by Zip

House Name	Gender	City	House #	County	Contact	Contact #	Interviews	Capacity	Vacancies	Distance	Last Updated
Burleigh	M	West Allis	(414) 488-2095	Milwaukee	John	(262) 364-6911	Sun 8:00am	9	3	1.3 miles	08/18/2025 4:32PM
Bienvenidas	WC	West Allis	(414) 210-4043	Milwaukee	Kim	(414) 208-5510	Sun 8:00am	9	2W 0WC	1.4 miles	08/18/2025 3:15PM

Existing State law – 46.234 Recovery residences; registration

The state statutes basically recommend recovery residences agree to a list of pleasant to contemplate but unlikely to be realized (pie in the sky) ideas, and then they can be registered with the state. It seems like almost more of a quality control/ advertising item than something that has any teeth. There is also no real enforcement mechanism within state statutes.

Furthermore, [Wis. Stat. 66.0104\(2\)\(e\)4](#). prohibits the City from creating a permit function for this type of housing because the state does not allow a municipality to require a license or occupancy permit for a rental property. However, that provision allows us to apply our property registration program. Unregistered properties like this may be issued a citation for failure to register under [WAMC 6.13](#).

Enforcement & Legislation

WAPD calls for service – will be discussed at the meeting.

If the city continues to receive qualifying calls for police services, the city can try enforcing as a nuisance property. The calls need to be for behavior that impacts the neighborhood, not simply inquiring about why squad cars were on location.

Due to state law, the city's proactive measures are limited. We only have the option to be reactive to behavior at the property. The state could amend Wis. Stat. 46.234 to make that a more robust law with greater regulation. That's really the best path moving forward if there is an interest in proactive regulation. Otherwise, the city cannot do much unless there is more frequent nuisance behavior at the property.

Existing Principal Use table by zoning district ([Sec 19.32](#))

7323 W Greenfield Ave, West Allis, WI 53214 / 414-362-02

Municipal Code														
<p>19.32 Principal Uses</p> <p>The following table identifies the principal uses allowed in each zoning district. Each use is given one of the following designations: P (Permitted Use), L (Limited Use), or C (Conditional Use). Uses without a designation are not permitted.</p> <p>Light Motor Vehicle Sales</p>														
Residential & Lodging	RA-1	RA-2	RA-3	RB	RC	C-1	C-2	C-3	C-4	I-1	I-2	P	SF	
1-Unit Dwelling	P	P	P	P	P	L	L	L	L					
2-Unit Dwelling	L	L	P	P	P	L	L	L	L					
3- to 4-Unit Dwelling				P	P	P	P	P	P					
Dwelling with 5+ Units				C	P	C	C	C	C					
Bed and Breakfast	C	C	C	C	C									
Community Living Arrangement (8 or fewer persons)	P	P	P	P	P		P	P	P					
Community Living Arrangement (9 or more persons)				C	C		C	C	C					
Hotel						C	C	C	C	C	C			
Lodging House					C									
Residential Care Service	C	C	C	C	C		C	C	C	C	C			
Short-Term Rental	P	P	P	L	L	L	L	L	L	L				

[Community living arrangements](#) are defined and regulated differently from the states definition of Recovery Residence, and therefore should not be misinterpreted as the same type of use.

Recommendation: Discuss the item at Plan Commission meeting and some possible zoning ordinance options that will be directed to Common Council for consideration.