



Legislation Text

File #: 070123, Version: 1

070123
SUBSTITUTE 1

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Substitute ordinance relating to the change in zoning from High Density Residential to a Detailed Planned Development known as The Break Water Condominiums, on land located West of North Franklin Place and North of East Knapp Street, in the 3rd Aldermanic District. This substitute ordinance will allow for construction of a condominium tower. The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-907(2) (b).0113.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area bounded and described by the zoning line within North Franklin Place, the zoning line within East Knapp Street, a line 186.58 feet West and parallel to the west line of North Franklin Place, a line 119.35 feet North and parallel to the north line of East Knapp Street, a line 179.58 feet West and parallel to the west line of North Franklin Place, a line 121.40 feet North and parallel to the north line of East Knapp Street, a line 248.32 feet West and parallel to the west line of North Franklin Place, a line 199.61 feet North and parallel to the north line of East Knapp Street, a line 218.12 feet West and parallel to the west line of North Franklin Place, a line 302.18 feet North and parallel to the north line of East Knapp Street, a line 178.32 feet West and parallel to the west line of North Franklin Place, a line 199.90 feet North and parallel to the north line of East Knapp Street, a line 135.50 feet West and parallel to the west line of North Franklin Place, and a line 139.36 feet North and parallel to the north line of East Knapp Street.

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

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05/18/07