



Legislation Details (With Text)

**File #:** 131014      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/5/2013      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 12/17/2013

**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Metro Center, Phase 7, for construction of a single-family home at 6885 North 107th Street, located on the west side of North 107th Street, south of West Fond du Lac Avenue, in the 5th Aldermanic District.

**Sponsors:** ALD. BOHL

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 05

**Attachments:** 1. Notice Published on 11-25-13 and 12-2-13, 2. Exhibit A as of 11-08-13, 3. Zoning Change Boundary Map, 4. Affidavit for Zoning Change, 5. DCD Presentation, 6. City Plan Commission Letter, 7. Hearing Notice List, 8. Notice Published on 1-8-14

Date	Ver.	Action By	Action	Result	Tally
11/5/2013	0	COMMON COUNCIL	ASSIGNED TO		
11/6/2013	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/19/2013	1	CITY CLERK	DRAFT SUBMITTED		
11/25/2013	1	CITY CLERK	PUBLISHED		
12/3/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/4/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/4/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/5/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/5/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/9/2013	1	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	7:0
12/10/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
12/17/2013	1	COMMON COUNCIL	PASSED	Pass	14:0
12/23/2013	1	MAYOR	SIGNED		
1/8/2014	1	CITY CLERK	PUBLISHED		

131014  
SUBSTITUTE 1  
060035, 071567  
ALD. BOHL

A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Metro Center, Phase 7, for construction of a single-family home at 6885 North 107th Street, located on the west side of North 107th Street, south of West Fond du Lac Avenue, in the 5th Aldermanic District.

This zoning change was requested by Kuhs Quality Homes, the current owner of the vacant lot at 6885 North 107th Street. Kuhs Quality Homes intends to sell the lot for construction of a single-family home.

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)(c).0198.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the 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 property located at 6885 North 107th Street, Tax Key No. 114-0191-000, from General Planned Development (GPD) to Detailed Planned Development (DPD).

(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.

DCD:VLK:kdc  
11/18/13