



Legislation Details (With Text)

File #: 031605 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/2/2004 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 7/7/2004

Effective date:

Title: Substitute ordinance relating to the change in zoning from Two-Family Residential (RT2) to a Detailed Planned Development (DPD) known as Stark Street Rowhouses, on land located on the South Side of West Stark Street and West of North 46th Street, in the 1st Aldermanic District.

Sponsors: THE CHAIR

Indexes: PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 01

Attachments: 1. Notice Published on June 14 and 21, 2004.PDF, 2. Protest Petition.pdf, 3. CPC letter.pdf, 4. Exhibit A.PDF, 5. City Attorney Opinion.pdf, 6. Final Exhibit A.PDF, 7. Notice Published on July 23, 2004.PDF

Date	Ver.	Action By	Action	Result	Tally
6/8/2004	1	CITY CLERK	DRAFT SUBMITTED		
6/14/2004	1	CITY CLERK	PUBLISHED		
6/22/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/22/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/22/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/23/2004		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/23/2004		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/29/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/7/2004	1	COMMON COUNCIL	PASSED	Pass	15:0
7/12/2004	1	MAYOR	SIGNED		
7/23/2004	1	CITY CLERK	PUBLISHED		
11/26/2013	0	COMMON COUNCIL	ASSIGNED TO		
12/4/2013		FINANCE & PERSONNEL COMMITTEE	REFERRED TO		

031605
SUBSTITUTE 1

THE CHAIR
 Substitute ordinance relating to the change in zoning from Two-Family Residential (RT2) to a Detailed Planned Development (DPD) known as Stark Street Rowhouses, on land located on the South Side of West Stark Street and West of North 46th Street, in the 1st Aldermanic District.
 This substitute ordinance will permit the construction of six, two-story rowhouses with

common demising walls and detached garages.

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).0049.

(1) In accordance with the provisions of Section 295-907(2) 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 changed for the area bounded and described by the zoning line within the right-of-way of West Stark Street, the zoning line within the right-of-way of North 46th Street, a line 120 feet South and parallel to the south line of West Stark Street and a line 120 feet West and parallel to the west line of North 46th 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. In accordance with the provisions of Section 295-907(2) of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. 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:JRH:vlk

06/07/04