



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/27/2009 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 7/7/2009

Effective date:

Title: Substitute ordinance relating to the First Amendment to a General Planned Development, known as Milwaukee County Zoo, for an off-premise electronic changeable message sign, on land located South of West Bluemound Road and East of North Mayfair Road, in the 10th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SIGNS

Attachments: 1. City Plan Commission letter, 2. Exhibit A, 3. Sign Drawings, 4. Site Plan, 5. Photos, 6. Proposed Zoning Change Map, 7. Affidavit for Zoning Change, 8. Hearing Notice List, 9. Notice Published on 6-12-09 and 6-22-09

Date	Ver.	Action By	Action	Result	Tally
5/27/2009	0	COMMON COUNCIL	ASSIGNED TO		
6/2/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/9/2009	1	CITY CLERK	DRAFT SUBMITTED		
6/25/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/25/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/30/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/7/2009	1	COMMON COUNCIL	PASSED	Pass	14:0
7/10/2009	1	MAYOR	SIGNED		
7/23/2009	1	CITY CLERK	PUBLISHED		

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THE CHAIR

Substitute ordinance relating to the First Amendment to a General Planned Development, known as Milwaukee County Zoo, for an off-premise electronic changeable message sign, on land located South of West Bluemound Road and East of North Mayfair Road, in the 10th Aldermanic District.

This amendment will allow for the replacement of the existing sign face with an electronic changeable message sign for the existing off-premise sign at the southeast corner of West Bluemound Road and North Mayfair Road.

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) (a).0054.

(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 amended General 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 reaffirms the zoning for the area bounded and described as follows:

That part of the Southwest 1/4 of Section 29, Town 7 North, Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Southwest 1/4 of said Section 29; thence North 88 deg. 28 min. 14 sec. East along the south line of said 1/4 Section, 339.54 feet to the east right-of-way line of the Chicago & Northwestern Transportation Company Railroad; thence North 17 deg. 29 min. 23 sec. West along the east right-of-way line of said Railroad, 49.90 feet to a found pipe and the point of beginning of the following described parcel; thence North 17 deg. 40 min. 34 sec. West along the east right-of-way line of said Railroad, 377.60 feet to a found iron pipe; thence continuing along said east right-of-way line, North 10 deg. 55 min. 02 sec. West 812.59 feet to a found pipe on the east right-of-way line of North Mayfair Road; thence North 14 deg. 55 min. 36 sec. East along the east right-of-way line of said Road, 129.11 feet; thence North 02 deg. 02 min. 15 sec. West along said right-of-way line, 49.70 feet; thence Northeasterly along the arc of a curve to the right, 38.89 feet, whose radius is 28 feet and whose long chord bears North 54 deg. 55 min. 03 sec. East 35.84 feet to a found iron pipe on the south right-of-way line of West Bluemound Road; thence South 85 deg. 21 min. 49 sec. East along the south right-of-way line of said Road, 204.69 feet to a found pipe; thence South 87 deg. 37 min. 53 sec. East along said right-of-way line 78.75 feet to a found iron pipe; thence South 03 deg. 35 min. 18 sec. West, 381.54 feet to a found iron pipe that is 275 feet East as measured at right angles from the Chicago & Northwestern Transportation Company Railroad east right-of-way line; thence South 10 deg. 55 min. 02 sec. East parallel with the east right-of-way line of said Railroad, 759.96 feet; thence South 43 deg. 48 min. 19 sec. West, 282.63 feet to the point of beginning.

(3) The requirements set forth in said amended general 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 amended general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended general plan to all conditions and limitations set forth in such amended general 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:AJF:ajf

06/08/09