



Legislation Text

File #: 160994, **Version:** 0

160994
ORIGINAL

ALD. BOHL

An ordinance relating to board of zoning appeals findings with respect to special use permit applications.

295-311-2-d-4 rp

295-311-2-j cr

This ordinance repeals the requirement that the board of zoning appeals, prior to the granting of a special use permit, make a finding that the special use will be designed, located and operated in a manner consistent with all applicable elements of the city's comprehensive plan. This ordinance also creates a provision stating that the board may, in its sole discretion, consider the applicable elements of the city's comprehensive plan in making its determination with respect to a special use permit application, but is not required to do so.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-311-2-d-4 of the code is repealed.

(Note: The provision being repealed reads as follows:

295-311. Appeals.

2. SPECIAL USE PERMITS.

d. Findings.

d-4. Consistency With Comprehensive Plan. The special use will be designed, located and operated in a manner consistent with all applicable elements of the city's comprehensive plan.)

Part 2. Section 295-311-2-j of the code is created to read:

j. Effect of Comprehensive Plan. The board may, in its sole discretion, consider the applicable elements of the city's comprehensive plan in making its determination with respect to a special use permit application, but is not required to do so.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE

IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

City Attorney

LRB166301-1

Jeff Osterman

09/13/2016