

ORDINANCE NO. 2004-1794

AN ORDINANCE TO AMEND DIVISION 15-3.0200, SECTIONS 15-3.0202A.3. R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0203A.3. R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0204A.3. R-3E. SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0205A.3. R-4 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0206A.3. R-5 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0207A.4. R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT, 15-3.0210A.5. VR VILLAGE RESIDENCE DISTRICT, AND 15-2.0103B.3.b. PERTAINING TO ZONING COMPLIANCE AND SITE SUITABILITY

WHEREAS, the City of Franklin Common Council adopted the Unified Development Ordinance on May 19, 1998, effective August 1, 1998, upon presentation and following public hearing which included statements as to the recognition that such substantial legislative efforts will require review and revision over time and experience: and

WHEREAS, over time and experience the Plan Commission has noticed certain inconsistencies in the Unified Development Ordinance regulations and having directed staff to review such matters as discussed and staff having made a recommendation for amendments has asked the Plan Commission to hold a public hearing on an amendment to DIVISION 15-3.0200, Sections 15-3.0202A.3. R-2 Estate Single-Family Residence District, 15-3.0203A.3. R-3 Suburban/Estate Single-Family Residence District, 15-3.0204A.3. R-3E. Suburban/Estate Single-Family Residence District, 15-3.0205A.3. R-4 Suburban Single-Family Residence District, 15-3.0206A.3. R-5 Suburban Single-Family Residence District, 15-3.0207A.4. R-6 Suburban Single-Family Residence District, 15-3.0210A.5. VR Village Residence District, and DIVISION 15-2.0100, Section 15-2.0103B.3.b. pertaining to Zoning Compliance and Site Suitability.

WHEREAS, the Plan Commission held a public hearing at the regular meeting of the Plan Commission on May 6, 2004 and recommended adoption of the amendments to DIVISION 15, Sections 15-3.0202A.3. R-2 Estate Single-Family Residence District, 15-3.0203A.3. R-3 Suburban/Estate Single-Family Residence District, 15-3.0204A.3. R-3E. Suburban/Estate Single-Family Residence District, 15-3.0205A.3. R-4 Suburban Single-Family Residence District, 15-3.0206A.3. R-5 Suburban Single-Family Residence District, 15-3.0207A.4. R-6 Suburban Single-Family Residence District, 15-3.0210A.5. VR Village Residence District, and 15-2.0103B.3.b. pertaining to Zoning Compliance and Site Suitability.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: SECTIONS: 15-3.0201C, R-1 Countryside Estate Single-Family Residence District, 15-3.0202A.3, R-2 Estate Single-Family Residence District 15-3.0203A.3. R-3 Suburban/Estate Single-Family Residence District; 15-3.0204A.3 R-3E. Suburban/Estate Single-Family Residence District; 15-3.0205A.3. R-4 Suburban Single-Family Residence District; 15-3.0206A.3. R-5 Suburban Single-Family Residence District; 15-3.0207A.4. R-6 Suburban Single-Family Residence District; 15-3.0210A.5. VR Village Residence District, be amended to

add after the words, "Be served by public sanitary sewer and water supply facilities", the words, (1) "except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lot(s) of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water."

SECTION 2: SECTION 15-2.0103B.3 pertaining to Zoning Compliance and Site Suitability be amended to add, after the words, "In any district where a public water service or public sewage service is not available, the lot width and area shall be determined in accordance with Chapter ILHR 83 of the Wisconsin Administrative Code as amended, but for one-family dwelling lots," the words, (1) "except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lot(s) of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water."

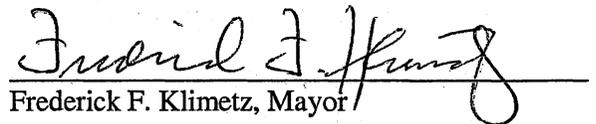
SECTION 3: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect

SECTION 4: This ordinance shall take effect and be enforced from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 18th day of May, 2004, by Alderman Olson.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin, this 18th day of May, 2004, by Alderman Olson.

APPROVED:


Frederick F. Klimetz, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0