

ORDINANCE NO. 2004-1800

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO TRANSFER THE POWER TO APPROVE THE TEMPORARY USES SET FORTH IN SECTION 15-3.0804. FROM THE BOARD OF ZONING AND BUILDING APPEALS UPON RECOMMENDATION OF THE PLAN COMMISSION SOLELY TO THE PLAN COMMISSION

WHEREAS, the Common Council having reviewed the Unified Development Ordinance as it pertains to the review and approval of temporary uses as set forth in Section 15-15-3.0804. of the Unified Development Ordinance and having determined a need for a rational and efficient approval process for temporary uses; and

WHEREAS, a public hearing was held before the Plan Commission on the 18th day of December, 2003, upon a proposal to amend the Unified Development Ordinance to transfer the power to approve such temporary uses solely to the Plan Commission; and

WHEREAS, the Plan Commission, having considered the proposed amendments to the Unified Development Ordinance to transfer the power to approve such temporary uses, and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council, having reviewed such proposed amendments and having determined such amendments to be necessary to provide for a rational and efficient process for temporary uses, and that such amendments were reasonable and in furtherance of the health, safety and general welfare of the Community.

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

SECTION 1: §15-10.0204F. of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed.

SECTION 2: §15-10.0104F. of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows: **“Temporary Uses.** To hear and grant applications for temporary uses as set forth in Section 15-3.0804 of the Unified Development Ordinance, or as approved by the Plan Commission, in any district, provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses. The permit shall be temporary, revocable, subject to any conditions required by the Plan Commission, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.”

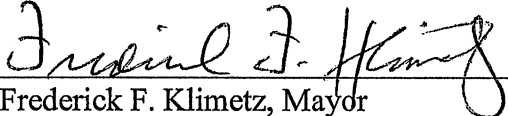
SECTION 3: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

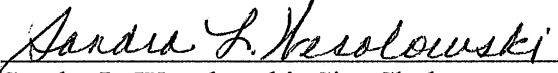
Introduced at a regular meeting of the Common Council of the City of Franklin this 22nd day of June, 2004, by Alderman Bergmann.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin, this 22nd day of June, 2004, by Alderman Bergmann.

APPROVED:


Frederick F. Klimetz, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0