

ORDINANCE NO. 2009- 1974

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-5.0203 TO ALLOW A DETACHED GARAGE FOR LOTS OF RECORD PRIOR TO AUGUST 1, 1998, THAT ARE LESS THAN ONE ACRE IN AREA AND WHERE THERE EXISTS A SINGLE-FAMILY DETACHED DWELLING STRUCTURE WITHOUT AN ATTACHED GARAGE

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WHEREAS, Table 15-5.0203 of the Unified Development Ordinance provides in part that only attached garages are generally allowed for Single-Family dwelling development on property less than one acre in size; and

WHEREAS, the Common Council having considered the existence in the City of lots of record less than one acre, with existing dwelling structures and without a garage, specifically in areas where neighboring properties support detached garages as was allowed by the subdivision regulations in effect decades ago; and

WHEREAS, the Plan Commission having reviewed a proposed amendment to allow detached garages for lots of record prior to August 1, 1998, that are less than one acre in area and where there exists a single-family dwelling structure without an attached garage, and having held a public hearing on the proposal on the 7th day of May, 2009 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having determined that the allowance for detached garages upon lots of record less than one acre, with existing dwelling structures and without a garage, will allow for new development to be in harmony with existing development and serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: Table 15-5.0203 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to "Single-Family Detached Dwelling Structure", is hereby amended as follows: i) delete: "only" from the existing text; and ii) add to the existing text in the "Other Required Standard(s)" column: "A detached garage for off-street parking which meets all other codes, is also permitted upon a lot of record existing prior to August 1, 1998, which

is less than one acre in area and upon which there exists a single-family detached dwelling structure without an attached garage.

SECTION 2: 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 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

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

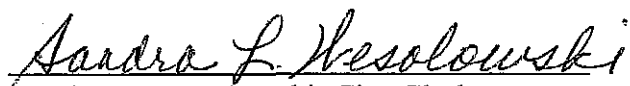
Introduced at a regular meeting of the Common Council of the City of Franklin this 19th day of May, 2009, by Alderman Wilhelm.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 19th day of May, 2009.

APPROVED:

  
Thomas M. Taylor, Mayor

ATTEST:

  
Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0