

ORDINANCE NO. 2012- 2079

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 4731 FREIGHT TRANSPORTATION ARRANGEMENT, 8322 INDIVIDUAL AND FAMILY SERVICES, 6411 INSURANCE AGENTS, BROKERS, & SERVICE, 6512 NONRESIDENTIAL BUILDING OPERATORS, 6519 REAL PROPERTY LESSORS, NOT ELSEWHERE CLASSIFIED, 6531 REAL ESTATE AGENTS AND MANAGERS AND 6552 SUBDIVIDERS AND DEVELOPERS, NOT ELSEWHERE CLASSIFIED, TO ALLOW FOR SUCH USES AS A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT; AND STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 1711 PLUMBING, HEATING, AIR-CONDITIONING, 1721 PAINTING AND PAPER HANGING, 1731 ELECTRICAL WORK, 1751 CARPENTRY WORK, 1752 FLOOR LAYING AND FLOOR WORK, NOT ELSEWHERE CLASSIFIED, 1761 ROOFING, SIDING, AND SHEET METAL WORK AND 782 LAWN AND GARDEN SERVICES, TO CHANGE IN PART SUCH USES FROM A SPECIAL USE TO A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT  
(KENDALL G. BREUNIG, APPLICANT)

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WHEREAS, Table 15-3.0603 of the Unified Development Ordinance sets forth the permitted and special uses in the nonresidential zoning districts; and

WHEREAS, Kendall G. Breunig having applied for a text amendment to Table 15-3.0603 so as to allow for Standard Industrial Classification Title Nos. 4731 "Freight transportation arrangement", 8322 "Individual and family services", 6411 "Insurance agents, brokers, & service", 6512 "Nonresidential building operators", 6519 "Real property lessors, not elsewhere classified", 6531 "Real estate agents and managers" and 6552 "Subdividers and developers, not elsewhere classified" to allow for such uses as a Permitted Use in the M-1 Limited Industrial District; and Standard Industrial Classification Title Nos. 1711 "Plumbing, heating, air-conditioning", 1721 "Painting and paper hanging", 1731 "Electrical work", 1751 "Carpentry work", 1752 "Floor laying and floor work, not elsewhere classified", 1761 "Roofing, siding, and sheet metal work" and 782 "Lawn and garden services" to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment, and having held a public hearing on the proposal on the 17th day of May, 2012 and thereafter having recommended approval of such amendment, with certain specifications for outdoor storage for SIC Title Nos. 1761 "Roofing, siding, and sheet metal work" and 782 "Lawn and garden services"; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will 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 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to the following stated Standard Industrial Classification Title Nos., is hereby amended as follows: insert "P" (Permitted Use) in the M-1 column: 4731 Freight transportation arrangement; 8322 Individual and family services; 6411 Insurance agents, brokers, & service; 6512 Nonresidential building operators; 6519 Real property lessors, not elsewhere classified; 6531 Real estate agents and managers; and 6552 Subdividers and developers, not elsewhere classified.

SECTION 2: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to the following stated Standard Industrial Classification Title Nos., is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column: 1711 Plumbing, heating, air-conditioning; 1721 Painting and paper hanging; 1731 Electrical work; 1751 Carpentry work; and 1752 Floor laying and floor work, not elsewhere classified.

SECTION 3: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to the following stated Standard Industrial Classification Title Nos., is hereby amended as follows: add "(with outdoor storage)" to the use description: 1761 Roofing, siding, and sheet metal work and 782 Lawn and garden services.

SECTION 4: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to add the following two uses: "1761 Roofing, siding, and sheet metal work (without outdoor storage)" and "782 Lawn and garden services (without outdoor storage)" and to insert "P" (Permitted Use) in the M-1 column for each such use, respectively.

SECTION 5: 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.

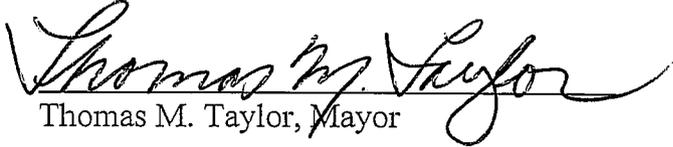
SECTION 6: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 7: 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 4th day of June, 2012, by Alderman Skowronski.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 4th day of June, 2012.

APPROVED:

  
Thomas M. Taylor, Mayor

ATTEST:

  
Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0

