

**RESOLUTION NO. 07-02-07-01**

**A Resolution Amending a Previously Approved and Previously Amended  
Precise Implementation Plan  
For The Project Known As The Cliffs of Fontana.**

**WHEREAS**, Par Development, Inc. ("Par") did previously petition the Village of Fontana-on-Geneva Lake to amend the Village's zoning ordinance (and accompanying zoning map) with regard to the property described more specifically in Addendum "A", attached hereto and incorporated herein by reference as if set forth at length herein (the "Subject Property"); and

**WHEREAS**, the Village did previously adopt Ordinance No. 10/24/05/1 rezoning the Subject Property to the Planned Development Zoning District and approving a General Development Plan ("GDP") for the Subject Property; and

**WHEREAS**, Par did subsequently petition the Village for approval of a Precise Implementation Plan ("PIP") for the Subject Property by filing the components of the PIP on January 13, 2006; and

**WHEREAS**, the Village did previously approve Resolution No. 08-07-06-02 whereby the proposed PIP for the Subject Property was approved; and

**WHEREAS**, Par did subsequently petition the Village for an amendment to said PIP by correspondence dated March 8, 2007 and received by the Village on March 8, 2007; and

**WHEREAS**, the Village did previously approve Resolution No. 04-02-07-01 whereby the PIP was amended; and

**WHEREAS**, Par did subsequently petition for an additional amendment to said PIP by correspondence dated June 5, 2007 and received by the Village on June 5, 2007; and

**WHEREAS**, the Plan Commission has approved said proposed Second Amendment to the PIP for the Subject Property; and

**WHEREAS**, the Village Board has been asked to consider the proposed second amendment to the PIP for the Subject Property as submitted by Par and as approved by the Plan Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

## **SECTION 1.**

That the recitals set forth above are incorporated herein by reference as if set forth at length herein.

## **SECTION 2.**

A. That the previously approved PIP for the Subject Property, herein defined, is hereby amended to incorporate the following documents and those alterations to the PIP described in those documents. To the extent the following documents are inconsistent with the PIP components set forth in the original PIP Resolution, this Resolution shall control.

1. Cover Letter dated 6/5/07 and received 6/5/07 (2 pages).
2. Letter of Transmittal dated 6/5/07 and received 6/5/07 (2 pages).
3. Proposed Second Amendment to the Precise Implementation Plan approved July 31, 2006, undated, dated received 6/5/07 (6 pages).
4. Color Streetscape Exhibit 11" x 17" for single family style units, undated, dated received 6/5/07 (one page).
5. Rendering for single family style units, the Augusta Model, the Greenbrier Model, the Ashton Model, the Ashton II Model and the Brighton Model, all dated 4/16/07 and received 6/5/07.
6. Color landscape footprints of buildings from Williams Design Group revised May 9, 2007, dated received 6/5/07 (one page).
7. 11" x 17" Revised retaining wall plans from Cardinal Structural Inc. revised April 19, 2007.
8. 11" x 17" Landscape Plans from Williams Design Group revised July 12, 2007.
9. Condominium Plat from RSV Engineering revised June 4, 2007, dated July 19, 2007 (9 pages).
10. 24" x 36" Site Improvement Plans from RSV Engineering, dated received July 10, 2007.
11. Maintenance and Temporary Construction Easement from RSV Engineering, dated 12/4/06, dated received 6/5/07 (one page).

B. That notwithstanding anything set forth to the contrary in the PIP, as amended, or the GDP or this Resolution, the separation distance between residential structures shall be not less than twelve (12) feet.

C. That non-substantive deviations from the details set forth in the PIP for the Subject Property, as amended, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

### **SECTION 3.**

All other terms and conditions of the original PIP approval and the previous Amendment thereto not inconsistent herewith shall remain in fully force and effect.

**PASSED AND ADOPTED** by the Village Board for the Village of Fontana-on-Geneva Lake this 2nd day of July, 2007.

VILLAGE BOARD OF THE VILLAGE OF  
FONTANA-ON-GENEVA LAKE

By: \_\_\_\_\_  
Ron Pollitt, Village President

Attest: \_\_\_\_\_  
Dennis Martin, Village Clerk

#### ADDENDUM "A"

BEING PART OF OUTLOT 13 THRU 15 OF ASSESSOR'S PLAT #1 TO C.L. ADDITION TO THE VILLAGE OF FONTANA, WALWORTH COUNTY, WISCONSIN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF THE NE 1/4 SECTION 15, TOWN 1 NORTH, RANGE 16 EAST; THENCE S09°46'50"E, A DISTANCE OF 202.54' TO THE POINT OF BEGINNING; THENCE N89°21'10"E, A DISTANCE OF 459.00' TO A POINT ON A CURVE, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF S.T.H. "67"; THENCE ALONG SAID CURVE TO THE RIGHT 342.35' SAID CURVE HAVING A RADIUS OF 845.00' A CHORD THAT BEARS S22°37'49"W FOR A LENGTH OF 340.01' TO A POINT; THENCE S55°46'07"E, A DISTANCE OF 45.00' TO A POINT; THENCE S34°13'53"W, A DISTANCE OF 503.90' TO A POINT; THENCE S89°11'38"W, A DISTANCE OF 87.37' TO A POINT; THENCE S88°24'50"W, A DISTANCE OF 64.77' TO A POINT; THENCE S01°49'02"E, A DISTANCE OF 26.09' TO A POINT; THENCE S81°48'07"W, A DISTANCE OF 44.00' TO A POINT; THENCE N02°06'01"W, A DISTANCE OF 33.00' TO A POINT; THENCE S81°57'26"W, A DISTANCE OF 850.96' TO A POINT; THENCE N01°44'33"W, A DISTANCE OF 52.71' TO A POINT; THENCE S81°53'32"W, A DISTANCE OF 201.00' TO A POINT; THENCE S01°37'48"E, A DISTANCE OF 225.09' TO A POINT; THENCE S81°53'32"W, A DISTANCE OF 24.00' TO A POINT; THENCE N01°37'48"W, A DISTANCE OF 862.05' TO A POINT; THENCE N77°11'32"E, A DISTANCE OF 250.39' TO A POINT; THENCE N87°49'55"E, A DISTANCE OF 590.34' TO A POINT; THENCE N58°59'29"E, A DISTANCE OF 192.53' TO A POINT; THENCE N79°25'44"E, A DISTANCE OF 203.58' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 24.14 ACRES MORE OR LESS.