

ORDINANCE NO. 03-03-08-01

**An Ordinance Amending Ordinance No. 12-15-04-01 and
Previous Amendments Thereto Related to the Planned Development Zoning
For The Abbey Springs Development.**

WHEREAS, the Village Board did previously adopt Ordinance No. 12-15-04-01, which said Ordinance is incorporated herein by reference as if set forth at length herein, whereby the entirety of the therein described Abbey Springs Resort/Commercial Development (the "Subject Property") was converted to Planned Development Zoning; and

WHEREAS, the Village Board did thereafter adopt Ordinance No. 12-06-05-03, which said Ordinance is incorporated herein by reference as if set forth at length herein, whereby an amendment was made to certain of the terms set forth in Ordinance No. 12-15-04-01; and

WHEREAS, the Village Board did thereafter adopt Ordinance No. 11-20-06-02, which said Ordinance is incorporated herein by reference as if set forth at length herein, whereby a further amendment was made to certain of the terms set forth in Ordinance 12-15-04-01, as amended; and

WHEREAS, the Village Board did thereafter adopt Ordinance No. 01-07-08-01, which said Ordinance is incorporated herein by reference as if set forth at length herein, whereby further amendment was made to certain of the terms set forth Ordinance No. 12-15-04-01, as amended; and

WHEREAS, subsequently, Abbey Springs, Inc. (the "Petitioner") did again petition (the "Petition") the Village of Fontana-on-Geneva Lake for an amendment to the existing ordinances controlling the Planned Development Zoning for the Subject Property and an amendment to the Precise Implementation Plan ("PIP") portion of the Development Plan, which said term is defined by Ordinance No. 12-15-04-01, it being the intent of Petitioner to bring about renovations to the boathouse located on the Subject Property; and

WHEREAS, the Petition was referred to the Plan Commission for the Village of Fontana-on-Geneva Lake for recommendation as a proposed amendment to the Precise Implementation Plan component of the Development Plan as required by the Village Code and by §62.23 Wis. Stats.; and

WHEREAS, the Plan Commission did make a favorable recommendation to the Village Board for the Village of Fontana-on-Geneva Lake; and

WHEREAS, the Village Board for the Village of Fontana-on-Geneva Lake, having given due consideration to the recommendation of the Plan Commission and the submittals made by the Petitioner, does make the determinations set forth herein.

NOW, THEREFORE, the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin do ordain as follows:

SECTION 1.

The Recitals set forth above are incorporated herein by reference as if set forth at length

herein.

SECTION 2.

That the Precise Implementation Plan portion of the Development Plan for the Subject Property shall be amended to include those documents outlined more specifically in Exhibit "A", attached hereto and incorporated herein by reference. To the extent the Exhibit "A" documents are inconsistent with the existing Development Plan, the Exhibit "A" documents shall control.

SECTION 3.

All other terms and conditions of Ordinance No. 12-15-04-01, as amended, not inconsistent herewith shall remain in full force and effect. To the extent this Ordinance conflicts with the terms of Ordinance No. 12-15-04-01 or earlier amendments thereto, this Ordinance shall control.

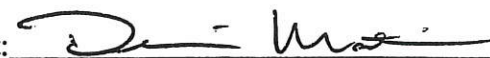
SECTION 8.

This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana this 3rd day of March, 2008.

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

By: 
Ronald Pollitt, Village President

Attest: 
Dennis Martin, Village Clerk

"The undersigned do hereby consent to the terms of this Ordinance as required by Section 62.23(7)(b) Wis. Stats. and by the Fontana Municipal Code."

ABBHEY SPRINGS, INC.

By: 

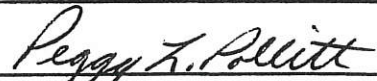
Attest: 

EXHIBIT "A"

1. Correspondence from Ronald H. McCormack of McCormack & Etten/Architects, LLP, dated February 5, 2008 and entitled "Abbey Springs Application for Amendment to Phase I Precise Implementation Plan for the Boathouse Structure", comprised of two (2) pages.
2. Drawings and renderings prepared by McCormack & Etten/Architects, LLP, filed with the Village on February 5, 2008 and dated as follows as part of Project No. 0414:
 - AS-121 Proposed Site Plan, dated February 5, 2008
 - A-121 Boathouse Lower Floor Plan, dated February 5, 2008
 - A-122 Boathouse Upper Floor Plan, dated July 24, 2007
 - A-221 Building Elevations, dated July 24, 2007
 - L-121 Boathouse Landscape Plan, dated February 5, 2008
3. Staff report dated February 19, 2008, unsigned, two (2) pages in length.

