

Ordinance No. 05-07-07-01

**An Ordinance Repealing and Recreating
Portions of Chapter 18 of the Municipal Code
of the Village of Fontana-on-Geneva Lake.**

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

SECTION 1.

Section 18-87(a) is hereby repealed and recreated to read as follows:

(a) *Permitted uses by right.*

1. Any existing use.
2. Any use listed as a use permitted by right in the most restricted district in which such use would have been as a use permitted by right, subject to the regulations set forth in said most restrictive district.

SECTION 2.

Section 18-87(c) is hereby repealed and recreated to read as follows:

(c) *Permitted uses by conditional grant (conditional uses).* Any use permitted in any other district.

SECTION 3.

Section 18-92(c)8.d. is hereby deleted in its entirety.

SECTION 4.

Section 18-89(h)5.d. shall be repealed and recreated to read as follows:

A precise implementation plan which is in conformity with an approved general development plan shall be entitled to a approval by the Village Board, following review and recommendation by the Plan Commission, subject only to approval of the details of the specific implementation phase. Precise implementation plan may be submitted for any portion of the approved general development plan, provided such portion is in basic conformity with the approved general development plan and represents a reasonable and appropriate stage of implementation of such plan. Request for approval of a precise implementation plan shall be submitted to the Village Clerk as called for at Sec. 18-89(h)3.d.

SECTION 5.

Section 18-89(h)5.f. is hereby deleted in its entirety.

SECTION 6.

Section 18-21(b) shall be repealed and recreated to read as follows:

- (b) *Limit of principal buildings on a lot.* Only one principal building may be permitted on a lot except as set forth herein. In any such case, the determination of required distance between buildings shall be subject to the regulations set forth in Section 18-31:
1. Planned development districts;
 2. Whenever building, site, and operational plan approval is required as provided herein; and
 3. Conditional uses where specified as provided herein.

SECTION 7.

Section 18-95(g)3. shall be repealed and recreated to read as follows:

3. From the shoreline or ordinary high water mark of a stream: 30 feet.

SECTION 8.

Section 18-33(c) shall be repealed and recreated to read as follows:

- (c) *Shoreyard setback.* All structures except piers, boat hoists, boathouses, wharves, patios, bridges, dams, walkways, and stairways which are necessary to provide pedestrian access to the shoreline shall be set back 50 feet from the ordinary high water mark of navigable waters, unless an existing pattern of development exists which is less than the 50 foot requirement, in which case the average of the existing principal structure shore setback on either side of the principal structure within a distance of 100 feet may be used to compute the setback for the principal building only, but shall not be reduced to less than 40 feet. The method of computation shall be as follows:
1. If there is a building which is nonconforming with respect to shoreyard setback, with a similar use as the proposed building, located on an adjacent parcel on one side of the proposed building or within 100 feet of the proposed building, the average of the shoreyard setback of that building of similar usage and the required minimum shoreyard setback shall apply.

2. If there are two buildings which are nonconforming with respect to shoreyard setback, with similar uses as the proposed building, located on adjacent parcels on each side of said building or within 100 feet of the proposed building, the average of the shoreyard setbacks of those buildings of similar usage shall apply.
3. In the case of a proposed addition to an existing building which has less than the required shoreyard setback, the shoreyard setback of such existing building may be used to determine the required shoreyard setback for the proposed building addition, as set forth above.

SECTION 9.

Section 18-84(c)11. is hereby repealed and recreated to read as follows:

11. Bed and breakfast establishments.


SECTION 10.

Section 18-22(7) is hereby repealed in its entirety.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 7th day of May, 2007.

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

By: 
Ronald Pollitt, Village President

Attest: 
Dennis Martin, Village Clerk

