

Ordinance No. 08-05-13-02

**An Ordinance Amending Ordinance No. 12-15-04-1
Related to the Planned Development Zoning
in Place 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, subsequently, Abbey Springs, Inc. (the "Petitioner") did petition the Village (the "Petition") for an amendment to the Ordinance No. 12-15-04-01 and the General Development Plan and the Precise Implementation Plan (together the "Development Plan") approved by said Ordinance whereby the mix of boat moorings allowed in the Yacht Club use shall be amended without increasing total moorings; and

WHEREAS, said Petition was referred to the Plan Commission for the Village of Fontana-on-Geneva Lake for a public hearing and recommendation as required by the Village Code and by §62.23 Wis. Stats.; and

WHEREAS, the Plan Commission, after due notice, did conduct a public hearing on the proposed amendment described herein and 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 provision of Ordinance No. 12-15-04-1 at Section 3.B.(1)(c)(i). Building Location and Height, shall be deleted in its entirety and recreated to read as follows:

That the provisions of Ordinance No. 12-15-04-01 at Section 3(2)(c)ii., shall be deleted in its entirety and recreated to read as follows:

For the Yacht Club use, the building area, building location, building height, and other requirements with regard to said use shall be as set forth in the Development Plan. Said Yacht Club use shall include the limited right to undertake the Boat Storage Use, herein defined, and shall be subject to the following limitations on the number of boat slips, mooring buoys, dingy docks, and the storage of watercraft in the Boat Storage Area, herein defined:

Boat slips:	84
Mooring buoys:	18
Dingy docks:	24
Dry storage of boats and boat trailers:	158

For purposes of this subsection, a “dingy dock” shall mean a site eligible for a single watercraft mooring.

SECTION 3.

All other terms and conditions of Ordinance No. 12-15-04-01 , and previous amendments thereto, 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, and previous amendments thereto, this Ordinance shall control.

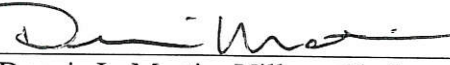
SECTION 4.

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

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake this 5th day of August, 2013.

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

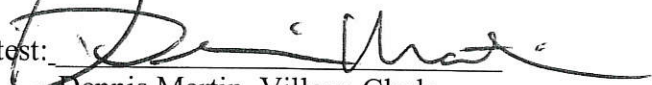
By: 
Arvid Petersen, Village President

Attest: 
Dennis L. 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."

ABBEE SPRINGS, INC.

By: 
Jerry Mortier, Executive Director

Attest: 
Dennis Martin, Village Clerk

