

**ORDINANCE NO. 08-05-13-03**

**An Ordinance Further Amending Ordinance No. 12-15-04-01  
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 amendments to the terms of said Ordinance No. 12-15-04-01 and the terms and restrictions set forth therein, which said earlier amendments are incorporated herein by reference as if set forth at length herein; and

**WHEREAS**, subsequently, Abbey Springs, Inc. (the "Petitioner") did again petition (the "Petition") the Village of Fontana-on-Geneva Lake for a further 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; 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 further amended to include the area and structure depicted in the documents outlined more specifically in Exhibit "A", attached hereto and incorporated herein by reference. Specifically, this amendment is designed to allow construction for a turf care/cart storage building and a community maintenance building. To the extent the Exhibit "A" documents are inconsistent with the existing Development Plan, the Exhibit "A" document 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 4.**

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 5<sup>th</sup> day of August, 2013.

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

By:

  
Arvid Petersen, 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.”

ABBEY SPRINGS, INC.

By: 

Jerry Mortier, Executive Director

Attest: 

Dennis Martin, Village Clerk

## EXHIBIT "A"

1. Drawings and renderings prepared by Excel Engineering, Inc. and filed with the Village of Fontana on June 4, 2013 and bearing project number 1214890, and comprised of pages C10, C1.1, C1.2, C1.3, A1.1 and A2.0 as to the proposed cart storage building.
2. Drawings and renderings prepared by Excel Engineering, Inc. and filed with the Village of Fontana on June 4, 2013 and bearing project number 1214880, and comprised of pages C10, C1.1, C1.2, C1.3, A1.1 and A2.0 as to the proposed maintenance building
3. Storm water and erosion control calculations as prepared by Grant Duchac, P.E. under job number 1214880 and 1214890 and filed with the Village of Fontana on June 4, 2013 and comprised of 23 primarily two sided pages.
4. Wetland Delineation Report as prepared by Excel Engineering, Inc. and bearing project number 1214880 and filed with the Village of Fontana on June 4, 2013 and comprised of 20 primarily two sided pages.
5. Application for Planned Development Amendment received by the Village of Fontana on June 4, 2013, including a two page project narrative prepared by Excel Engineering, Inc.