

ORDINANCE # 119

AN ORDINANCE TO AMEND THE SUBDIVISION AND PLATTING ORDINANCE  
OF THE VILLAGE OF OCONOMOWOC LAKE

The Village Board of the Village of Oconomowoc Lake,  
Waukesha County, Wisconsin DOES ORDAIN AS FOLLOWS:

Section 1: Section 18.05 entitled Certified Survey Map,  
Subsection (5) is hereby repealed and recreated to read as  
follows:

18.05 CERTIFIED SURVEY MAP.

- (5) The Plan Commission and the Village Board of Trustees may not approve any certified survey map creating a lot unless the land in question complies with:
- (A) all applicable zoning ordinance requirements contained in Chapter 17, or the land in question is determined to be a legal non-conforming lot of record under the provisions of Chapter 17, or a variance has been approved by the Zoning Board of Appeals pursuant to Subsection 17.61 of the Zoning Ordinance, and
  - (B) all Subdivision and Platting Ordinance requirements contained in Chapter 18, or a variance has been approved by the Plan Commission and Village Board of Trustees pursuant to Subsection 18.08 of the Subdivision and Platting Ordinance.

Section 2: Section 18.07 entitled Minimum Lot, Width and Area is hereby repealed.

Section 3: Section 18.08 entitled Prohibited Divisions is hereby repealed and recreated and renumbered to read as follows:

18.07 PROHIBITED DIVISIONS.

The following divisions of land are prohibited:

- (1) Any division of land, creating a lot of such elevation or configuration that damage could accrue to adjoining properties if construction were permitted.
- (2) Any division of land, creating a lot that is not capable of reasonably meeting setback or offset requirements for the applicable district.
- (3) Any division of land, creating a lot that does not provide useable land area of sufficient amount or configuration to permit construction which meets applicable district requirements and is compatible with surrounding developments.

Section 4: Section 18.09 entitled Variances is hereby repealed and recreated and renumbered to read as follows:

18.08 VARIANCES.

When, in the judgment of the Plan Commission and of the Village Board it would be inappropriate to apply literally any provision of Chapter 18, they may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Section 5: Section 18.09 entitled Review by Court of Record is hereby created to read as follows:

18.09 REVIEW BY COURT OF RECORD.

Any person or persons aggrieved by any decision of the Plan Commission or Village Board under Chapter 18 may present to the Court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to court within thirty (30) days of the adverse decision.

Section 6: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision,

and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 7: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This ordinance passed this 17<sup>th</sup> day of February, 1992.

BY THE VILLAGE BOARD OF THE  
VILLAGE OF OCONOMOWOC LAKE:

  
EDMUND O. TEMPLETON, PRESIDENT

ATTEST:

  
CHERYL WIERDSMA, VILLAGE CLERK

VILLAGE OF OCONOMOWOC LAKE  
35328 West Pabst Road  
Oconomowoc, Wisconsin 53066

February 6, 1992

Dear Sir or Madam:

Official notice is hereby given that a public hearing will be held before the Board of Trustees of the Village of Oconomowoc Lake on Monday, February 17, 1992, at 8:00 p.m. at the Village Hall, 35328 W. Pabst Road, regarding the following item:

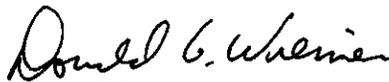
1) Proposed changes to the Village Zoning Code, sections 18.05(5), 18.07, 18.08, and 18.09. pertaining to the Subdivision and Platting Code for the Village of Oconomowoc Lake.

ALL RESIDENTS are invited to attend and be heard.

The regular Village Board meeting will follow.

Very truly yours,

VILLAGE OF OCONOMOWOC LAKE



Donald G. Wiemer  
Administrator

/dgw



STATE OF WISCONSIN }  
COUNTY OF WAUKESHA } SS

AFFIDAVIT OF POSTING  
ORDINANCE #119

2/17/92 DELAYED POSTING 30 DAYS TIL 3/17/92

The undersigned, being first duly sworn, on oath deposes and states that on March 18, 1992, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the above ordinance in the following public places in said Village, to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northeast corner of the junction of County Trunk Highway "P" (West Beach Road) and the private drive (South Beach Road) leading into the Ibach, LaBelle, McNellis, et al properties.

Robert W. Wink

Subscribed and sworn to before me this

18 day of March, 1992

Cheryl A. Weerdoma

Notary Public, Waukesha County, Wisconsin

My Commission expires 11-19-95