

ORDINANCE NO. 145AN ORDINANCE REPEALING AND RECREATING
SECTION 17.32(2) ENTITLED
EXISTING NONCONFORMING STRUCTURES
OF THE VILLAGE OF OCONOMOWOC LAKE MUNICIPAL CODE
ENTITLED ZONING ORDINANCE

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

SECTION 1. Chapter 17 of the Municipal Code of the Village of Oconomowoc Lake entitled Zoning Ordinance, Village of Oconomowoc Lake, Waukesha County, Wisconsin, Subsection 17.32 entitled Nonconforming Uses, Structures and Lots, Subsection (2) entitled Existing Nonconforming Structures, is hereby repealed and recreated to read as follows:

17.32 NONCONFORMING USES, STRUCTURES AND LOTS.

(2) EXISTING NONCONFORMING STRUCTURES

A lawful structure which existed at the time of the adoption or amendment of this chapter may be continued as a legal nonconforming structure although the structure's size or location does not conform to the requirements of this chapter; however,

- (a) A legal nonconforming structure containing conforming uses may be totally rebuilt if, and only if, such reconstruction is identical in all respects to the size, shape, height, location, footprint, style and use of the original structure.
- (b) A legal nonconforming structure containing conforming uses, subject to Architectural Control Board approval, may be reduced in size, may have its shape modified, may have its height lowered, and may have its style modified, as long as the proposed structure is identical in all respects to the location, footprint and use of the original structure.
- (c) A legal nonconforming structure containing conforming uses subject to the grant of a variance from the Zoning Board of Appeals may be increased in size, may be increased in shape, may be increased in height, and the location and footprint may be modified.

SECTION 2: 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 Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.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 3: EFFECTIVE DATE.

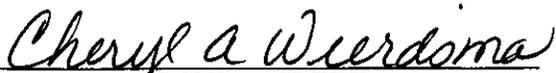
This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This Ordinance passed this 18th day of March, 1996.

BY ORDER OF THE VILLAGE BOARD OF
THE VILLAGE OF OCONOMOWOC LAKE,
WAUKESHA COUNTY, WISCONSIN


RAYMOND FOSTER, JR., PRESIDENT

ATTEST:


CHERYL WIEBDSMA, CLERK

Published or posted on the 24th day of May, 1996.

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
ORD 145 17.32(2) Amend
Noneconf Structures

The undersigned, being first duly sworn, on oath deposes and states that on May 24, 1996 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board 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 northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.

James R. Fulmer

Subscribed and sworn to before me

this 24 day of May, 1996

Cheryl A. Weidema

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-14-99