

ORDINANCE NO. 150AN ORDINANCE TO AMEND
SECTION 17.56(1) AND
SECTION 17.56(2)(c)
OF THE VILLAGE OF OCONOMOWOC LAKE
ZONING ORDINANCE
REGARDING WATERFRONT LOT REQUIREMENTS
IN PLANNED UNIT DEVELOPMENTS

WHEREAS, the Village of Oconomowoc Lake desires to provide for orderly and compatible land use along waterfront and lakefront areas in the Village of Oconomowoc Lake; and

WHEREAS, the Village desires to protect lakefront and waterfront lots from extensive development to the detriment of the health of the natural environment and the economic value of the neighborhood; and

WHEREAS, the Village seeks to clarify within the Village Zoning and Platting Ordinance, that lakefront property cannot be divided within a planned unit development in a way that avoids the lot width requirements of the Code;

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

SECTION 1: Chapter 17 entitled Zoning Ordinance of the Village of Oconomowoc Lake Municipal Ordinances, subsection 17.56 entitled Planned Unit Developments, subsection 17.56(1) entitled General, is hereby repealed and recreated to read as follows:

17.56(1) GENERAL.

The unified and planned development of a site, in single or corporate ownership at the time of development, may be permitted without the customary division into individual lots, subject to the requirements of this section and subject to the grant of a Conditional Use Permit. Lot size, setback, offset and open space may be modified according to the following conditions:

- a. That all sanitary provisions are in conformance with the requirements of the State Department of Health, the County Health Department, the local sanitary district and any other sanitary provisions.

- b. That the proposed development is in conformity with any local comprehensive plan, is not contrary to the general welfare or economic balance of the community, and that benefits and amenities of the resultant development justify the variation from the normal requirements of the district in which it is located.
- c. That all requirements as herein established are complied with.
- d. That all setback and offset requirements at the perimeter of the Planned Unit Development Site must conform to the requirements of the underlying zoning district.
- e. Each residential unit must meet all lot size requirements of the underlying zoning by each proposed residential unit either:
 - i) being situated on a lot which satisfies the minimum lot size requirements of the underlying zoning district, or
 - ii) being situated on a lot which in combination with a proportionate undivided ownership interest in the common areas satisfies the minimum lot size requirement of the underlying zoning district.
- f. Required standards as established by the Village relative to road design, drainage or other engineering patterns may be modified, subject to the approval by the Village Board of Trustees, as long as such modifications are consistent with good engineering practices. The Village Board permits private rather than public roads whenever this is in the best interest of the Village.
- g. Planned unit developments are limited to residential uses.
- h. Minimum Lot Width (as defined herein) shall not be waived in any Planned Unit Development Site that includes lands abutting waterways.

SECTION 2: Chapter 17 entitled Zoning Ordinance of the Village of Oconomowoc Lake Municipal Ordinances, subsection 17.56 entitled Planned Unit Developments, subsection 17.56(2) entitled Residential Density, subsection 17.56(2)(c), is hereby repealed and recreated to read as follows:

17.56(2) RESIDENTIAL DENSITY

- (c) In any Planned Unit Development Site which includes lands abutting waterways, each residential unit must satisfy the conditions of Section 17.26, Waterfront Use Density, and must satisfy the Minimum Lot Width (as defined herein) requirements of the underlying zoning district.

SECTION 3: 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 4: EFFECTIVE DATE.

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

This Ordinance passed this 17th day of March, 1997.

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


RAYMOND FOSTER, JR., PRESIDENT

ATTEST:


CHERYL WIERDSMA, CLERK

Published or posted on the 20th day of March, 1997.

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
ORD # 150

The undersigned, being first duly sworn, on oath deposes and states that on March 20, 1997 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.



Subscribed and sworn to before me

this 20th day of March, 1997

Cheryl A. Wiedema

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-14-99