

ORDINANCE NO. 214

AN ORDINANCE TO PERMANENTLY ZONE LANDS LOCATED  
IN THE LALUMIERE SUBDIVISION RECENTLY ATTACHED FROM THE  
TOWN OF SUMMIT TO THE VILLAGE OF OCONOMOWOC LAKE  
PURSUANT TO THE BORDER AGREEMENT FROM R-1 RURAL  
RESIDENTIAL DISTRICT TO R-4 LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS, the Village of Oconomowoc Lake Village Board has initiated a rezoning petition regarding certain lands in the Village of Oconomowoc Lake, to rezone certain property as described in Exhibit A and Exhibit B attached hereto and incorporated herein ("Subject Lands"); and

WHEREAS, said rezoning petition seeks to rezone the Subject Lands from the R-1 General Agriculture/Rural Residential District to the R-4 Low Density Residential District; and

WHEREAS, said rezoning petition has been submitted to the Village Plan Commission of the Village of Oconomowoc Lake for report and recommendation; and

WHEREAS, the Village Plan Commission of the Village of Oconomowoc Lake has recommended to the Village Board of the Village of Oconomowoc Lake that said zoning change be made; and

WHEREAS, all required data has been received pursuant to the Village of Oconomowoc Lake Zoning Code, and a public hearing was conducted by the Village Board of the Village of Oconomowoc Lake on January 19, 2004; and

WHEREAS, the Village Board of the Village of Oconomowoc Lake having carefully reviewed the recommendation of the Plan Commission of the Village of Oconomowoc Lake, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the public necessity, convenience, general welfare and good zoning practice requires that the rezoning be granted, as the rezoning will not violate the spirit or intent of the Zoning Code for the Village of Oconomowoc Lake, will not be contrary to the public health, safety or general welfare of the Village of Oconomowoc Lake, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same and is consistent with the recommendations found in the Village of Oconomowoc Lake master plan.

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

SECTION 1. REZONING. The Subject Lands as depicted and described in Exhibit A and Exhibit B attached hereto and incorporated herein by reference is hereby rezoned to R-4 Low Density Residential District.

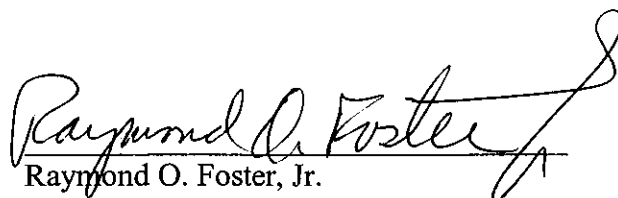
SECTION 2. MAP AMENDMENT. The Village Engineer is hereby authorized and directed to note this rezoning on the Official Zoning Map of the Village of Oconomowoc Lake.

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 decision 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.

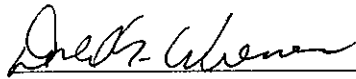
SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication and/or posting as provided by law

Passed and adopted this 19<sup>th</sup> Day of January, 2004

VILLAGE OF OCONOMOWOC LAKE

  
Raymond O. Foster, Jr.  
Village President

ATTEST:



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Donald G. Wiemer  
Village Administrator

Published and/or posted on the 20<sup>th</sup> day of January, 2003.

This instrument drafted by the Village of Oconomowoc Lake.

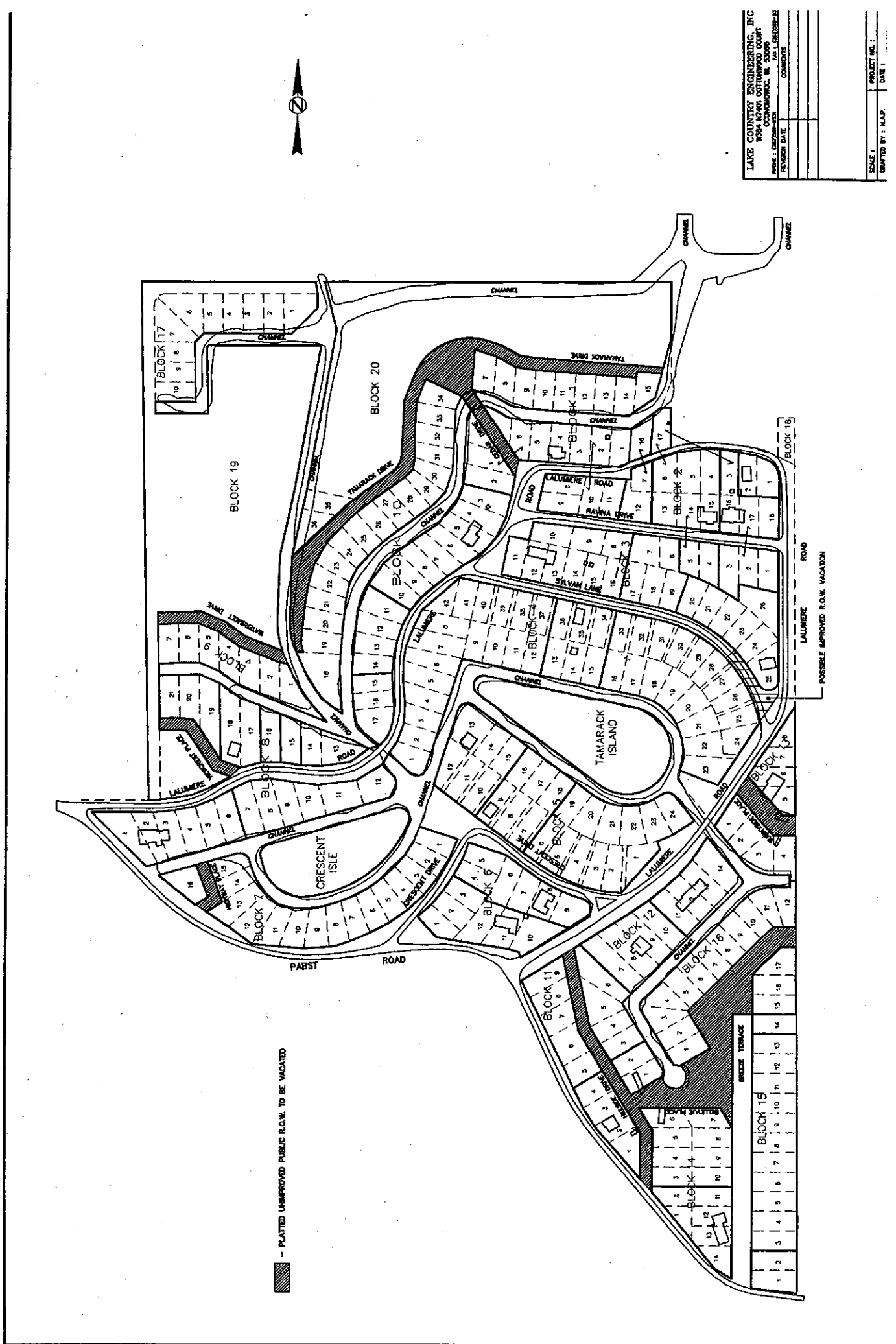
## **EXHIBIT A**

### **Legal Description of Lands Recently Attached From the Town of Summit To be Permanently Zoned in the Village of Oconomowoc Lake**

Being all that portion of Tax Key No's 613-001-001, 616-003-002, 613-017, 613-019-002, 613-033-001, 613-034-001, 613-037-002, 613-048-002, 613-061-002, 613-063-001, 613-097-001, 613-105, 613-106, 613-118-002, 613-118-003, 613-136-002, 613-139-002, 613-142, 613-158, 613-159-001, 613-162-002, 613-162-003, 613-162-005, 613-176-001, 613-180, 613-187-002, 613-191-001, 613-223-002, 613-224-002, 613-227, 613-234, 613-241-001, 613-242-001, 613-252-001, 613-255-001, 613-266-001, 613-268, 613-270, 613-271, 613-285, 613-297, 613-305, 613-307, 613-308, 613-309, all located in the NE ¼ Sec 11 T7N, R17E, Town of Summit, Waukesha County, Wisconsin. Said lands containing a total area of 40 acres, more or less and population of 50, more or less.

**EXHIP'T B**

**Legal Description of Lands Recently Attached From the Town of Summit To be Permanently Zoned in the Village of Oconomowoc Lake**



PLATED UNIMPROVED PUBLIC R.O.W. TO BE VACATED

LAKE COUNTRY ENGINEERING, INC.  
W34 N74W LOT16WOOD COURT  
OCONOMOWOC, WI 53099  
PROJECT NO. 1  
DATE 1/1/2008  
DRAFTED BY: M.A.P.  
SCALE:

POSSIBLE IMPROVED R.O.W. VACATION

STATE OF WISCONSIN )  
COUNTY OF WAUKESHA )

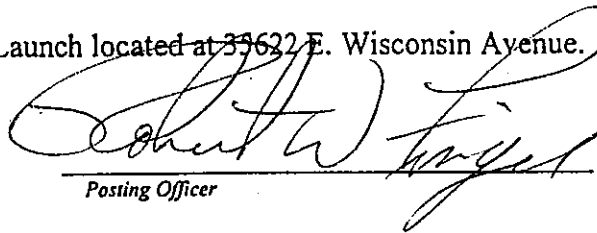
AFFIDAVIT OF POSTING

Ordinance 214

The undersigned, being first duly sworn, on oath deposes and states that on Feb 2, 2004, 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:

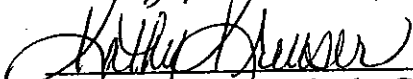
to-wit:

- (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 Village Boat Launch located at 35622 E. Wisconsin Avenue.

  
\_\_\_\_\_  
Posting Officer

Subscribed and sworn to before me

This 2<sup>nd</sup> day of February, 2004

  
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Notary Public, Waukesha County, Wisconsin  
My Commission expires: 3-23-08