

RESOLUTION NO. 03-02-15-05

**A Resolution Approving A Precise Implementation Plan
For the First Phase of The Project Known As the Rowhomes of Fontana.**

WHEREAS, The Shodeen Family Property Company, LLC (“Shodeen”) did previously petition the Village of Fontana-on-Geneva Lake to amend the Village’s zoning ordinance (and accompanying zoning map) with regard to the property described more specifically in Addendum “A”, attached hereto and incorporated herein by reference as if set forth at length herein (the “Subject Property); and

WHEREAS, the Village did subsequently adopt Ordinance No. 12-01-14-01, rezoning the Subject Property to the Planned Development Zoning District and approving a General Development Plan (“GDP”) for the Subject Property; and

WHEREAS, Shodeen did subsequently petition the Village for approval of a Precise Implementation Plan (“PIP”) for the Subject Property, as a first phase of development of a multi phase Planned Development, by filing the components of the first phase PIP; and

WHEREAS, the Plan Commission has previously voted to recommend in favor of said proposed PIP for the Subject Property; and

WHEREAS, the Village Board has been asked to consider the proposed PIP as submitted by Shodeen and as approved by the Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

SECTION 1.

That the recitals set forth above are incorporated herein by reference as if set forth at length herein.

SECTION 2.

A. That findings are hereby made as called for by Section 18-247(e) of the Village Municipal Code. Furthermore, that the proposed PIP (as a first phase of a multi phase Planned Development) for the Subject Property, herein defined, is hereby approved, which said PIP is comprised of the following specific items and elements on file with the Village Clerk for the Village of Fontana in lieu of attaching said items to this Resolution, and are each incorporated herein by reference:

1. Application dated received January 22, 2015 (9 pages) for a first phase of a multi phase Planned Development.

2. Site, Utility, Grading, Drainage and Erosion Control Plan dated December 17, 2014, last revised January 16, 2015, bearing project number 9129, as prepared by Farris, Hansen & Associates, Inc. (6 pages).
3. Rowhomes of Fontana Condominium Plat depicting phase one of a multi phase Planned Development, dated December 8, 2014, last revised January 28, 2015, bearing project number 9129, as prepared by Farris Hansen & Associates, Inc. (1 page)
4. Subject to those conditions set forth in the Village staff review memo attached hereto as Exhibit "B" and incorporated herein by reference.

B. That public sidewalks shall be installed by Developer, at Developer expense, to the satisfaction of the Village Engineer, in the location described in Ordinance 12-01-14-01, by on or before the earlier of when the first two units are sold or two years from the start of construction of this first phase PIP (as evidenced by issuance of a dated building permit). Furthermore, that sidewalk easements for said sidewalks shall thereafter be conveyed to the Village of Fontana, as described in Ordinance 12-01-14-01 (Section 3., item 7. And Addendum "C" to said ordinance) prior to issuance of occupancy permits for any unit included in this first phase of PIP.

C. That the use of permeable pavers as described in Ordinance 12-01-14-01 (Section 3., item 6.) shall not be required so long as the conditions, terms and requirements set forth in the Village Engineer correspondence dated February 16, 2015 (attached hereto as Addendum "B" and incorporated herein by reference) are fully met.

D. That non-substantive deviations from the details set forth in the GDP or PIP for the Subject Property, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 2nd day of March, 2015.

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

By: _____
Arvid Petersen, Village President

Attest: _____
Theresa Linneman, Village Clerk