

VILLAGE OF MENOMONEE FALLS ORDINANCE NO. 590-O-14

**AMENDMENT NO. 2 OF
THE HIDDEN CROSSING PRD**

WHEREAS, Dittmar Realty, Inc. has an interest in the following described lands:
Part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 20 East, Village of Menomonee Falls, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said 1/4 section; Thence North 88°07'17" East along the South line of said 1/4 section 1330.45 feet to a point; Thence North 00°03'39" East 48.02 feet to a point on the North line of Good Hope Road and the point of beginning of the lands to be described; Thence continuing North 00°03'39" East along the East line of Plaza Garden Subdivision and Certified Survey Map No. 1593 a distance of 1487.54 feet to a point on the South line of Hidden Meadow Subdivision; Thence North 88°17'57" East along said South line 996.96 feet to a point; Thence South 00°02'47" West 1484.43 feet to a point on the aforesaid North line West Good Hope Road; Thence South 88°07'17" West along said North line containing 1,481,056 square feet or 34.0004 acres; and

WHEREAS, the principle members of Dittmar Realty, Inc. are Clarence H. Dittmar, Kevin S. Dittmar, and Mary M. Dittmar; and

WHEREAS, the previously described lands are located in a Planned Residential Development District; and

WHEREAS, the Village Board of Trustees adopted Resolution 326-R-02 on September 16, 2002 approving the Hidden Crossing Planned Residential Development consisting of 52 single family homes within the above described area; and

WHEREAS, on November 20, 2006 the Village Board of Trustees adopted Ordinance No. 352-O-06, reducing the number of single family condominium dwellings from 4 to 3; and

WHEREAS, Kevin S. Dittmar requested the Village modify Ordinance No. 352-O-06 terminating the condominium form of ownership over the Hidden Crossing Planned Residential Development, and allowing Lot 20 to be divided in the future to provide 2 single family homes; and

WHEREAS, the overall density of the modified Hidden Crossing development is 1.50 dwelling units per acre (51 dwelling units on 34.01 acres); and

WHEREAS, details concerning the general character, timetable for development, organizational structure of the developer, and proposed phases are contained in a document from Kevin Dittmar dated March 28, 2002; and

WHEREAS, covenants and restrictions have been put in place for Hidden Crossing, which have been recorded at the Waukesha County Register of Deeds with the Final Plat of the Hidden Crossing Subdivision; and

WHEREAS, the Hidden Crossing Planned Residential Development is consistent with the spirit and intent of the Zoning Ordinance; and

WHEREAS, the Hidden Crossing Planned Residential Development is in keeping with current economic and social considerations; and

WHEREAS, the Hidden Crossing Planned Residential Development justifies the application of the Planned Residential Development District requirements; and

WHEREAS, the Hidden Crossing Planned Residential Development will create an attractive and satisfying residential environment of sustained desirability and economic stability beneficial to the Village; and

WHEREAS, the Hidden Crossing Planned Residential Development will result in the preservation of open land in a manner which will enhance the total environmental setting and desirability of the development; and

WHEREAS, the Plan Commission, at its meeting of May 16, 2002 originally recommended the Hidden Crossing Planned Residential Development be approved; and

WHEREAS, at its meeting on May 28, 2002, the Architectural Control Board originally recommended the Hidden Crossing Planned Residential Development be approved;

WHEREAS, on May 6, 2014 the Plan Commission recommended the Village Board of Trustees adopt this ordinance amending Ordinance 352-O-06 subject to the following Conditions:

1. Approval of a Certified Survey Map redividing Lot 20 of the Hidden Crossing Subdivision into two lots numbered Lots 50 and 51, and two outlots around the existing detention pond and existing private drive, including the island.
2. Completing a Stormwater Management Agreement in which the owners of the two lots referenced in the Certified Survey Map required in Condition No. 1 share in the ownership and maintenance of the detention pond placed in an outlot in the Certified Survey Map required in Condition No. 1.
3. The property owner abandoning the public water main and sanitary sewer main stubbed into this property.
4. The property owner providing new water and sanitary sewer laterals to the two new single family lots being created off of Paseo Lane to the satisfaction of the Director of Utilities. Upon completion of this work the Village will vacate the utility easement and relocate the public storm water maintenance easement.

NOW, THEREFORE, the Village Board of the Village of Menomonee Falls do ordain as follows:

Section 1. The conditions and restrictions as recommended by the Plan Commission and Architectural Control Board hereinabove set forth be and the same are hereby adopted and approved as the conditions and restrictions for the construction, location and operation of the revised Hidden Crossing Planned Residential Development.

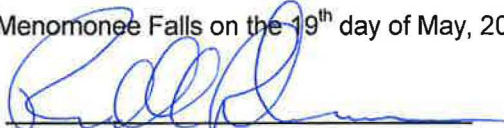
Section 2. Subject to the conditions and restrictions approved above, the petition to amend the Hidden Crossing Planned Residential Development is approved.

Section 3. This ordinance shall take effect and be in full force from and after its passage and posting.

Section 4. The Village Clerk shall cause a certified copy of this ordinance to be recorded with the Waukesha County Register of Deeds.

Adopted by the Board of Trustees of the Village of Menomonee Falls on the 19th day of May, 2014.


By


Randall R. Newman, Village President

Date Posted:

5/30/14

Attest


Janice Moyer, Village Clerk