

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # DCPREZ-2021-116711

Dane County Zoning & Land Regulation Committee Public Hearing Date 7-21-21

Whereas, the Town Board of the Town of BURKE having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one): Approved Denied Postponed

Town Planning Commission Vote: _____ in favor _____ opposed _____ abstained

Town Board Vote: 5 in favor 0 opposed 0 abstained

THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1. *Deed restriction* limiting use(s) in the _____ zoning district to only the following:

2. *Deed restrict* the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):

3. *Deed restrict* the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):


4. *Condition* that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):

5. *Other Condition(s)*. Please specify:
2) Sachs executing a Stormwater Maintenance Agreement with the Town of Burke for maintenance of the "Drainage-Way Easement" shown on the CSM by December 31, 2021.

The form and substance of the Stormwater Maintenance Agreement shall be acceptable to the Town Attorney and Town Engineer. The Town will record the fully-executed Stormwater Maintenance Agreement with the Dane County Register of Deeds after the CSM.

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, PJ MONSON, as Town Clerk of the Town of BURKE, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 9-15, 2021.

Town Clerk  Date: 9-20, 2021.

**TOWN OF BURKE
RESOLUTION NO. 09152021B**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE
APPROVING A CERTIFIED SURVEY MAP SUBMITTED
BY PETER SACHS**

RECITALS

WHEREAS, Peter Sachs (Sachs) submitted a Certified Survey Map ("CSM") for the purpose of creating two residential lots at the property located at 3285 Nelson Rd in the Town; and

WHEREAS, a copy of the CSM is attached hereto as Attachment A.

WHEREAS, Sachs also submitted a rezone petition to rezone proposed lot 2 of the CSM from NR-C to RR-8; and

WHEREAS, the Plan Commission has reviewed the CSM and recommended approval; and

WHEREAS, the Town Board has reviewed and considered the Plan Commission's recommendation.

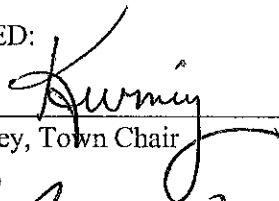
RESOLUTION

NOW, THEREFORE, the Town Board hereby approves the CSM on the following conditions:


- 1) Sachs obtaining approval of the CSM and rezone from Dane County by December 31, 2021.
- 2) Sachs executing a Stormwater Maintenance Agreement with the Town of Burke for maintenance of the "Drainage-Way Easement" shown on the CSM by December 31, 2021. The form and substance of the Stormwater Maintenance Agreement shall be acceptable to the Town Attorney and Town Engineer. The Town will record the fully-executed Stormwater Maintenance Agreement with the Dane County Register of Deeds after the CSM.
- 3) All outstanding monies owed the Town and incurred in the review and action on the CSM to be paid in full by September 30, 2021.
- 4) In the event all the conditions of approval are not fulfilled by Sachs or waived by the Town Board by the dates specified above, the approval of the CSM shall be null and void.

The above Resolution was duly adopted by the Town Board of the Town of Burke, Dane County, Wisconsin, at a meeting on September 15, 2021.

APPROVED:

By 
Kevin Viney, Town Chair

ATTEST:


PJ Monson, Administrator, Deputy Clerk