

# TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 11596

Dane County Zoning & Land Regulation Committee Public Hearing Date JANUARY 20, 2021

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:** 4 in favor 0 opposed 0 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:  
\_\_\_\_\_

1) Nelson obtaining approval of the CSM and rezone from Dane County by November 16, 2021. 2) Town receipt of an Access Easement Agreement acceptable to the Town Attorney by November 16, 2021. 3) All outstanding monies owed the Town and incurred in the review and action on the CSM to be paid in full by November 16, 2021. 4) In the event all the conditions of approval are not fulfilled by Nelson or waived by the Town Board by the dates specified above, the approval of the CSM shall be null and void and of no further force or effect.

**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.

- 1) Nelson obtaining approval of the CSM and rezone from Dane County by November 16, 2021. 2) Town receipt of an Access Easement Agreement acceptable to the Town Attorney by November 16, 2021.
- 3) All outstanding monies owed the Town and incurred in the review and action on the CSM to be paid in full by November 16, 2021.
- 4) In the event all the conditions of approval are not fulfilled by Nelson or waived by the Town Board by the dates specified above, the approval of the CSM shall be null and void and of no further force or effect.

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 AUGUST 18, 2021.

Town Clerk  Date: AUGUST 30, 2021.

**TOWN OF BURKE  
RESOLUTION NO. 08182021**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE  
CONDITIONALLY APPROVING A CERTIFIED SURVEY MAP (CSM)  
SUBMITTED BY DIANA M. NELSON**

WHEREAS, an application regarding a two-lot Certified Survey map (CSM) petition submitted by Diana M. Nelson to separate existing residences onto individual properties. Property located at 4927 Felland Road, Madison (parcel number 0810-352-9645-0).

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

WHEREAS, the Plan Commission has reviewed the application for land division and rezone on May 5, 2021 and recommended approval with a legal access agreement; and

WHEREAS, the Town Board held a Class II Public Hearing on January 20, 2021; and

WHEREAS, the Town Board re-affirms the zoning change from RR-8 to RR-4;  
and

WHEREAS, the Town Board reviewed and considered the Plan Commission's recommendation at the May 5, 2021 without action taken; and

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

- 1) Nelson obtaining approval of the CSM and rezone from Dane County by November 16, 2021.
- 2) Town receipt of an Access Easement Agreement acceptable to the Town Attorney by November 16, 2021.
- 3) All outstanding monies owed the Town and incurred in the review and action on the CSM to be paid in full by November 16, 2021.
- 4) In the event all the conditions of approval are not fulfilled by Nelson or waived by the Town Board by the dates specified above, the approval of the CSM shall be null and void and of no further force or effect.

The above Resolution was duly adopted by the Town Board of the Town of Burke, Dane County, Wisconsin, at a meeting on August 18, 2021.

APPROVED:

By \_\_\_\_\_  
Kevin Viney, Town Chair

ATTEST:

\_\_\_\_\_  
PJ Monson, Town Clerk/Treasurer