

**TOWN OF CROSS PLAINS**

3734 County Road P  
Cross Plains, WI 53528

Phone: 798-0189

Fax: 798-0190

RECEIVED

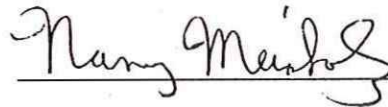
MAY 17 2019

DANE COUNTY CLERK

CERTIFICATION OF RESOLUTION

I, Nancy Meinholz, Town of Cross Plains Clerk, certify that the attached is a true and correct copy of Resolution titled "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Cross Plains Board passed this resolution on May 13, 2019.

Signed and dated this May 13, 2019.



Nancy Meinholz

Town of Cross Plains Clerk

TOWN OF CROSS PLAINS  
DANE COUNTY, WISCONSIN

Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance

The Town Board of the Town of Cross Plains, Dane County, Wisconsin do adopt and resolve as follows:

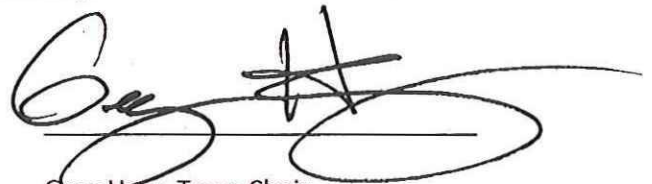
1. The Town of Cross Plains desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Cross Plains upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:


Pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of Cross Plains hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-OA-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Cross Plains.

This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-OA-20, and associated zoning map for the Town of Cross Plains (both attached as Exhibit A).

Dated: May 13, 2019



Greg Hyer, Town Chair



Nancy Meinholz, Town Clerk

A certified copy of Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance was filed with the Dane County Clerk on May 15, 2019. Copies of Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance were posted in the Town of Cross Plains at the Town Hall and Town Website by the Town Clerk on May 15, 2019.



DANE COUNTY  
**PLANNING DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Zoning Change Application**

Items that must be submitted with your application:

- **Written Legal Description of the proposed Zoning Boundaries**  
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- **Scaled Drawing of the location of the proposed Zoning Boundaries**  
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>Various landowners (see attached).</u>	Agent's Name	<u>Brian Standing</u>
Address	_____	Address	<u>Room 116, 210 MLK Blvd. Madison, WI 53703</u>
Phone	_____	Phone	<u>(608) 267-4115</u>
Email	_____	Email	<u>standing@countyofdane.com</u>

Town: Cross Plains Parcel numbers affected: Various (see attached).

Section: 01 Property address or location: Various

Zoning District change: (To / From / # of acres) Various districts, 8.4 acres total.

Soil classifications of area (percentages) Class I soils: \_\_\_\_\_% Class II soils: \_\_\_\_\_% Other: \_\_\_\_\_%

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

Town-initiated blanket clean-up amendment to correct errors in new zoning map, and to ensure consistency with town/county comprehensive plan.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.  
Submitted By: *[Signature]*

Date: 5/13/19

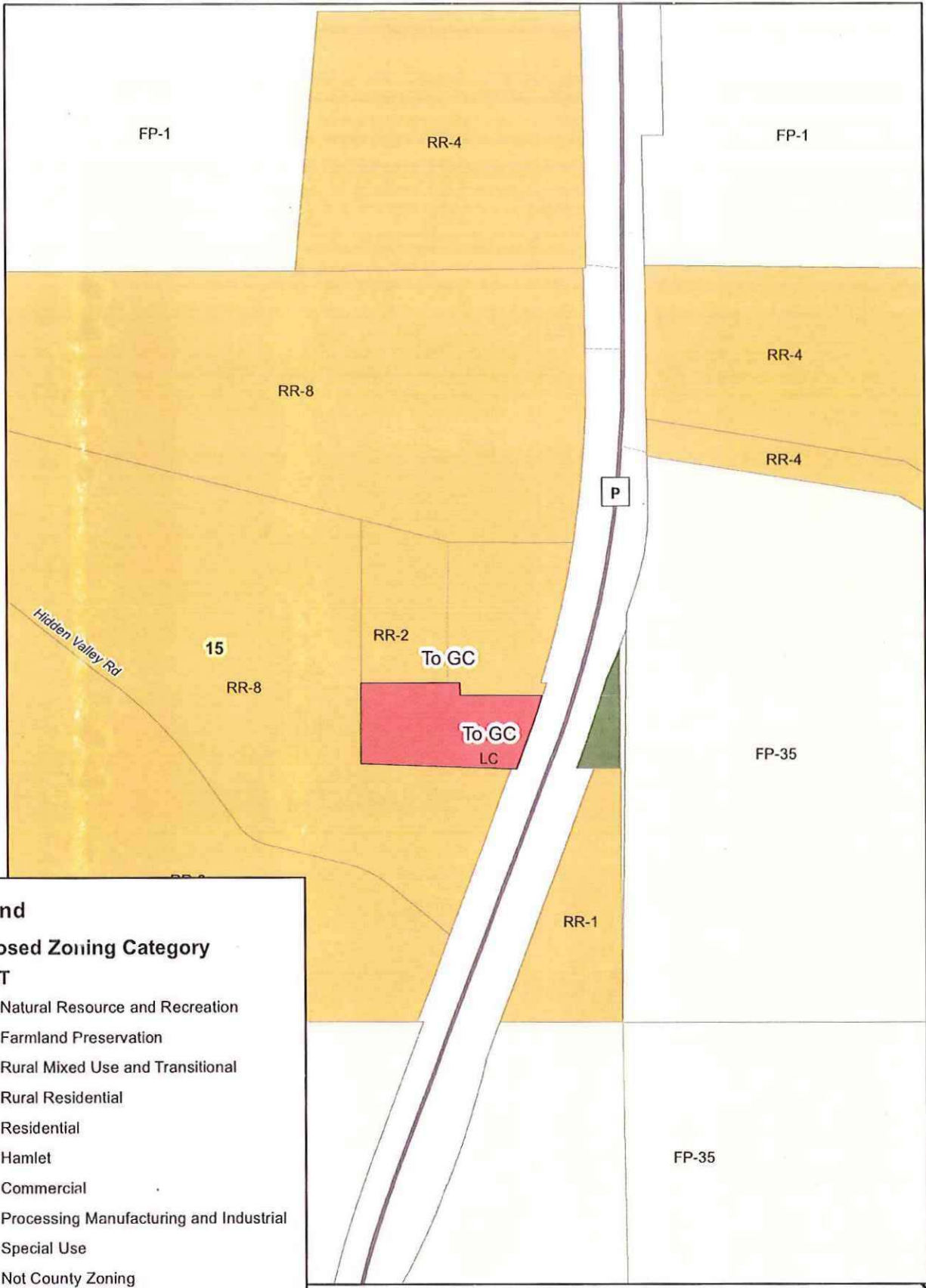
Town of Cross Plains Comprehensive Zoning Revision  
 2019 Clean-Up Blanket rezone

PIN	Current zoning	Proposed zoning	Zoning parcel boundaries	Acres	Conditions	Notes
070723497103	HC	LC	Same as tax parcel	5.8		Better accommodate existing contractor use.
070716296914	SFR-08	UTR	Same as tax parcel	0.4		Remnant.
070716295602	FP-35	UTR	Portion of parcel W. of Observatory Road	0.0		Remnant.
070721395002	FP-35	HC	Same as Petition 2914 (C-2, see attached).	1.2	With DR to limit uses (see attached)	Accommodate existing car sales use.
070715294203, 070715294258	LC, RR	GC	SEC 15-7-7 PRT SW1/4NW1/4 COM SEC NW COR TH S 1559.38 FT TH S78DEGE 870.01 FT TH S 292 TO POB TH CON S 143.6 FT TH S87DEGE 287 FT TH NORTHEASTERLY ALONG THE WESTERN ROW OF CTH P 140 FT TH N90W 149.79 TH N 21.78 TH N90W 181.29 FT TO POB.	1.0	With DR to limit uses (see attached)	Accommodate existing restaurant use.

# Town of Cross Plains Rezone Petition

Section 15

May 9, 2019

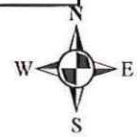
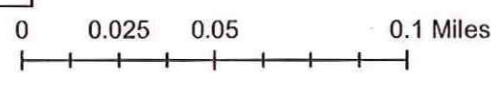


**Legend**

**Proposed Zoning Category**

**PZCAT**

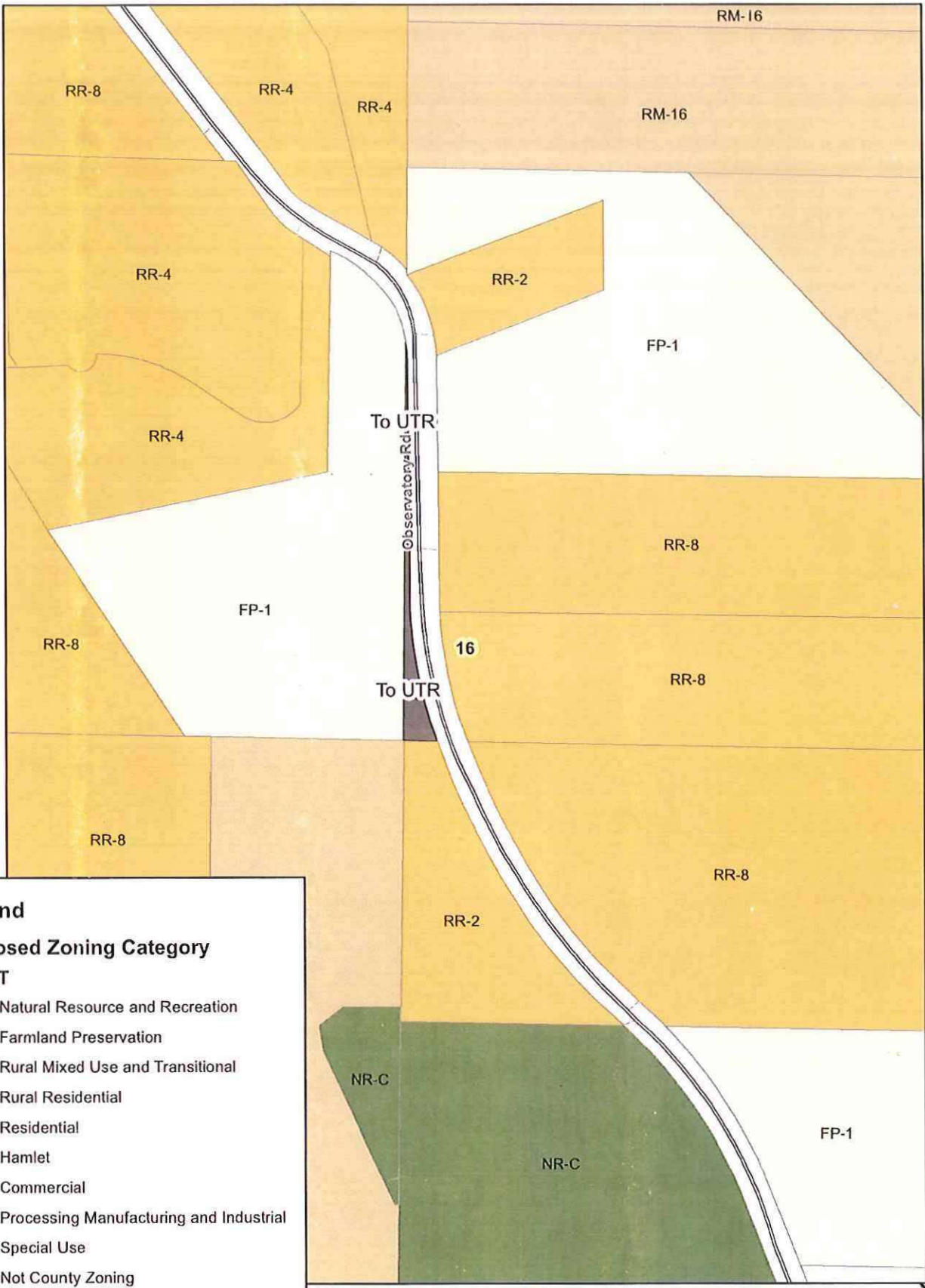
- Natural Resource and Recreation
- Farmland Preservation
- Rural Mixed Use and Transitional
- Rural Residential
- Residential
- Hamlet
- Commercial
- Processing Manufacturing and Industrial
- Special Use
- Not County Zoning



# Town of Cross Plains Rezone Petition

Section 16

May 9, 2019

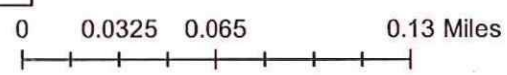


**Legend**

**Proposed Zoning Category**

**PZCAT**

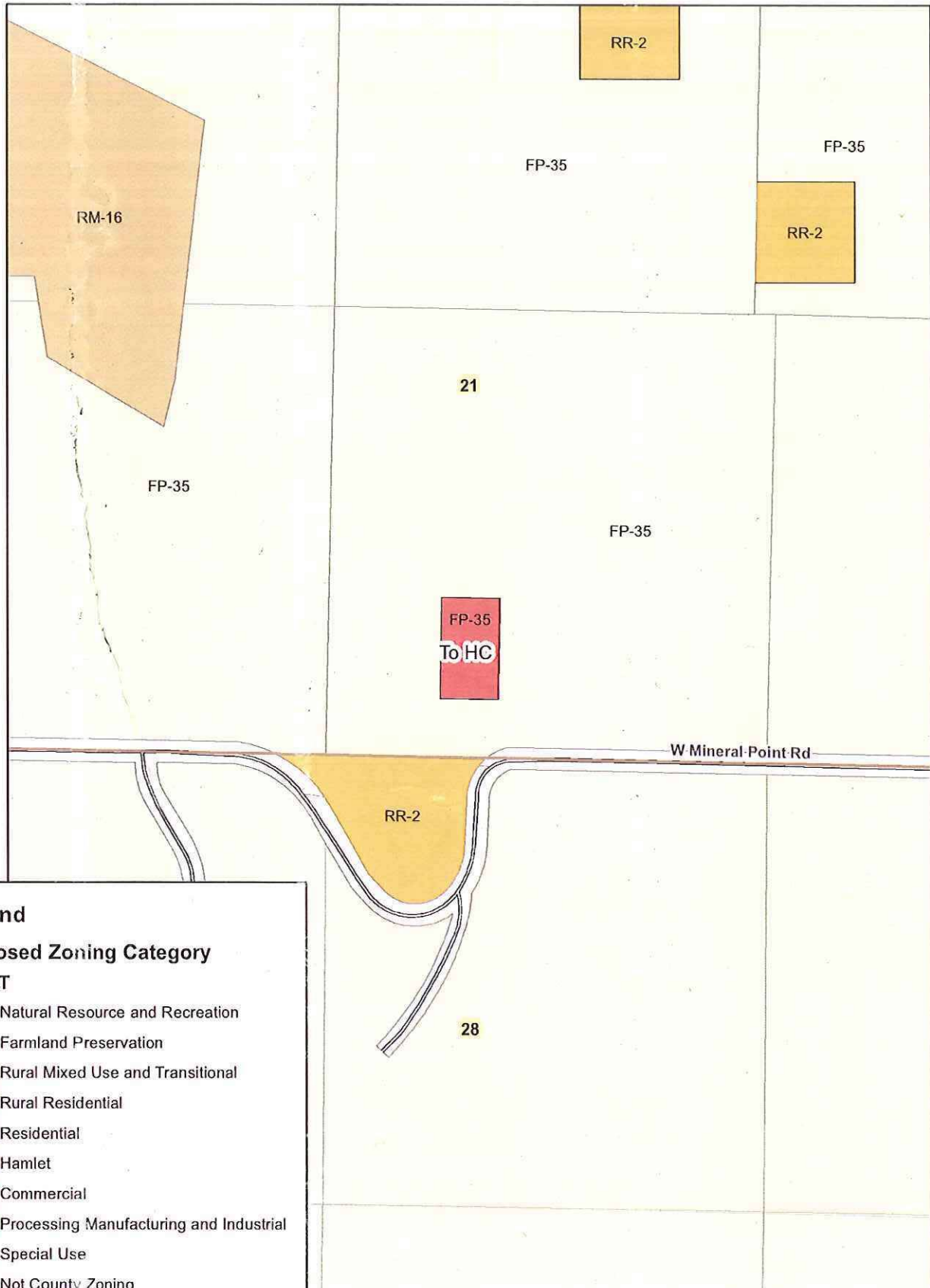
- Natural Resource and Recreation
- Farmland Preservation
- Rural Mixed Use and Transitional
- Rural Residential
- Residential
- Hamlet
- Commercial
- Processing Manufacturing and Industrial
- Special Use
- Not County Zoning



# Town of Cross Plains Rezone Petition

Section 21











May 9, 2019



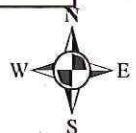
## Legend

### Proposed Zoning Category

#### PZCAT

-  Natural Resource and Recreation
-  Farmland Preservation
-  Rural Mixed Use and Transitional
-  Rural Residential
-  Residential
-  Hamlet
-  Commercial
-  Processing Manufacturing and Industrial
-  Special Use
-  Not County Zoning

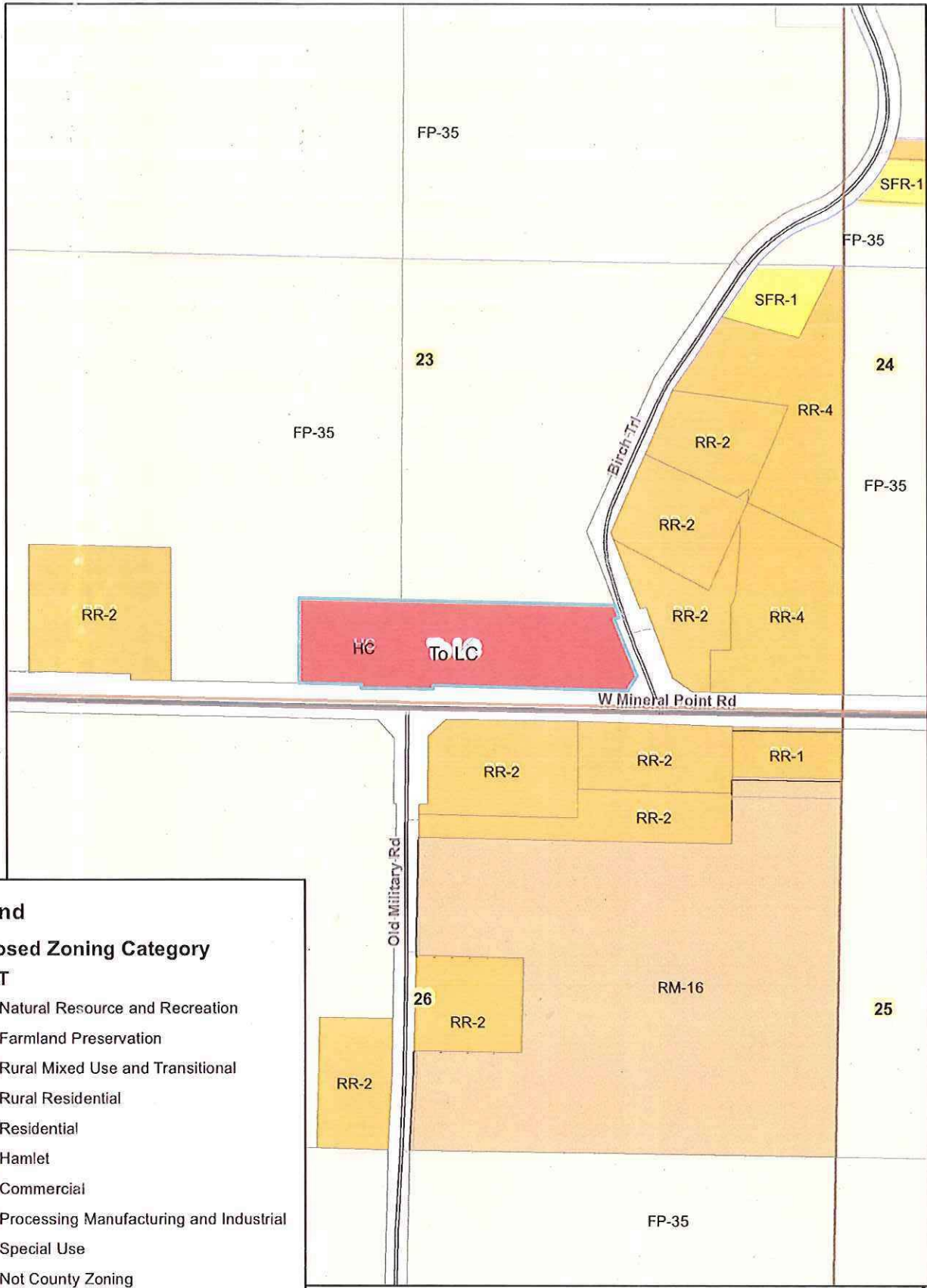
0 0.045 0.09 0.18 Miles



# Town of Cross Plains Rezone Petition

Section 23

May 9, 2019

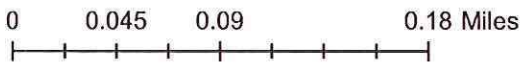


**Legend**

**Proposed Zoning Category**

**PZCAT**

- Natural Resource and Recreation
- Farmland Preservation
- Rural Mixed Use and Transitional
- Rural Residential
- Residential
- Hamlet
- Commercial
- Processing Manufacturing and Industrial
- Special Use
- Not County Zoning





**DEED RESTRICTIONS**

COMPREHENSIVE ZONING  
REVISION

Use black ink & print legibly

**WHEREAS,**

is owner of the following described real estate in the  
Town of Cross Plains, Dane County, Wisconsin further  
described as follows:

Recording area

Name and return address:

Parent Parcel Number(s):

**LEGAL DESCRIPTION:** SEC 15-7-7 PRT SW1/4NW1/4 COM SEC NW COR  
FT TH S 292 TO POB TH CON S 143.6 FT TH S87DEGE 287 FT TH NORTHEASTERLY AL  
140 FT TH N90W 149.79 TH N 21.78 TH N90W 181.29 FT TO POB

**WHEREAS,** the County of Dane desires to place certain restrictions and notice on the above-described real estate and Owner has agreed to place such restrictions and notice on the above-described real estate, to bind the Owner and those who may acquire title hereafter. Restrictions allow continuation of historical uses as a conforming use under Dane County zoning in an area not recommended for such zoning and uses in Town land use plan.

**WHEREAS,** the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Cross Plains, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

THEFORE, the following restrictions are hereby imposed:

1. Uses on the property are limited to:
  - (a) Indoor entertainment and assembly, specifically limited to a restaurant
  - (b) Accessory uses, such as parking and incidental indoor storage, outdoor seasonal seating limited to 75 individuals typically associated with a restaurant use.
2. All buildings, parking lots and other improvements on the site shall not exceed 15.75% of the general commercial zoning parcel.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.

The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.

2. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.

\_\_\_\_\_ Date

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Grantor (owner)

\_\_\_\_\_ Signature of Grantor (owner)

\_\_\_\_\_ \*Name printed

\_\_\_\_\_ \*Name printed

This document was drafted by:  
(print or type name below)

**Dane County  
Planning and Development Department**

STATE OF WISCONSIN, County of \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_ by the above named person(s).

Signature of notary or other person authorized to administer an oath \_\_\_\_\_ (as per s. 706.06, 706.07)

Print or type name: \_\_\_\_\_

Title \_\_\_\_\_ Date commission expires: \_\_\_\_\_

\*Names of persons signing in any capacity must be typed or printed below their signature.

**DEED RESTRICTIONS**  
COMPREHENSIVE ZONING  
REVISION

Use black ink & print legibly

**WHEREAS,**

is owner of the following described real estate in the  
Town of Cross Plains, Dane County, Wisconsin further  
described as follows:

*Recording area*

Name and return address:

Parent Parcel Number(s):

**LEGAL DESCRIPTION:**

**WHEREAS,** the County of Dane desires to place certain restrictions and notice on the above-described real estate and Owner has agreed to place such restrictions and notice on the above-described real estate, to bind the Owner and those who may acquire title hereafter.

**WHEREAS,** the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Cross Plains, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

**THEREFORE**, the following restrictions are hereby imposed:

1. The property is limited to the following uses:
  - (a) Indoor sales
  - (b) Outdoor sales, display or repair and storage, with an approved conditional use permit, not to exceed 25 vehicles.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.

The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.

2. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Grantor (owner)

\_\_\_\_\_  
Signature of Grantor (owner)

\_\_\_\_\_  
\*Name printed.

\_\_\_\_\_  
\*Name printed

This document was drafted by:  
(print or type name below)

*Dane County  
Planning and Development Department*

STATE OF WISCONSIN, County of \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_ by the above named person(s).

Signature of notary or other person authorized to administer an oath \_\_\_\_\_  
(as per s. 706.06, 706.07)

Print or type name: \_\_\_\_\_

\*Names of persons signing in any capacity must be typed or printed below their signature.

Title \_\_\_\_\_ Date commission expires: \_\_\_\_\_