

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 10847**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Windsor

Location: Section 1

Zoning District Boundary Changes

A-1EX to A-2(2)

Part of the Southeast 1/4 of the Southeast 1/4, Section 1, T9N, R10E, Town of Windsor, Dane County, Wisconsin, described as follows: Beginning at the Southeast Corner of said Section 1; Thence N88°37'23"W, 289.94 feet along the South line of said Southeast 1/4; thence N01°39'23"E, 348.02 feet; Thence S89°05'54"E, 278.37 feet to the East line of said Southeast 1/4; thence S00°14'19"E, 350.47 feet along said East line to the said Southeast Corner and the point of beginning; Containing 2.27 acres gross and 2.06 acres net.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

The approval is condition upon the conditions found under the Town of Windsor resolution 2015-70. See attached.

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the certified survey map. **Failure to submit the final certified survey within the 90 day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**

**TOWN OF WINDSOR
TOWN BOARD RESOLUTION 2015-70**

**APPROVAL OF A CERTIFIED SURVEY MAP
AND REZONE IN ORDER TO CREATE A TWO ACRE PARCEL FROM LANDS
OWNED BY PETITIONER AT
3178 COUNTY HIGHWAY V, TOWN OF WINDSOR, DANE COUNTY**

[Cyril & Loraine Feiner, as Owner/Petitioner]

WHEREAS, Cyril & Loraine Feiner, as Owner/Petitioner, by their son, Scott Feiner (collectively, the "Petitioner") prepared and submitted a Certified Survey Map (the "CSM") for property at 3178 County Highway V, Town of Windsor; and

WHEREAS, the Petitioner further requests rezoning from A-1 EX Exclusive Agriculture District to A-2(2) Agricultural District for Lot 1, and A-1(EX) Exclusive Agriculture District for the Remnant Lot; and

WHEREAS, the Town Planner has reviewed the request and prepared a Staff Report dated August 10, 2015 ("Staff Report") recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, following review of the Petitioner's application materials, the Staff Report, and the resolution adopted at the Plan Commission meeting, the Town Board wishes to recommend approval of same, subject to those conditions specified herein.

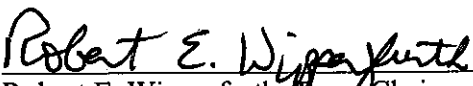
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Windsor as follows:

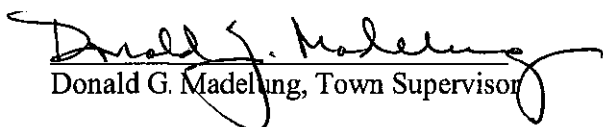
- A. The Town of Windsor Board **approves** the Certified Survey Map and Rezone request for Cyril and Loraine Feiner located at 3178 County Highway V, DeForest, WI 53532, subject to the following conditions:
1. The Petitioner shall address the comments set forth in the Planner Comments and Surveyor Comments section of this Staff Review to the satisfaction of the Town Planner.
 2. The Petitioner shall obtain approval of the Certified Survey Map and Rezone from Dane County.
 3. The Petitioner shall satisfy all conditions of approval by the Town of Windsor and Dane County, and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deeds.
 4. The Petitioner shall acknowledge that the agricultural buildings on Lot 1 shall not be used for the housing of livestock.
 5. The Petitioner shall record a deed restriction, in a form approved by the Town Attorney, acknowledging that Lot 2 of the proposed CSM retains one (1) development right per the Town of Windsor Comprehensive Plan: 2025, and that Lot 1 of the proposed CSM shall be restricted from any further land division.

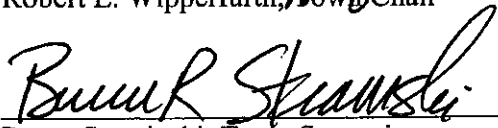
6. The Petitioner shall record a deed restriction, in a form approved by the Town Attorney, running to the benefit of the Town of Windsor, requiring payment of Fees in Lieu of Parkland per Section 38-637 of the Town of Windsor Code of Ordinances (or amendment thereof), to be paid by the property owner at the time when the property owner applies for a building permit to be issued by the Town of Windsor for Lot 2 of the proposed CSM. The Fees In Lieu of Parkland shall be calculated by the Town based on the Code of Ordinance requirements in effect at the time when the property owner applies for a building permit.
 7. The Petitioner shall record a deed restriction, in a form approved by the Town Attorney, running to the benefit of the Town of Windsor, requiring payment of Fees for Initial Improvement of Parkland per Section 38-639(e) of the Town of Windsor Code of Ordinances (or amendment thereof), to be paid by the property owner at the time when the property owner applies for a building permit to be issued by the Town of Windsor for Lot 2 of the proposed CSM. The Fees for Initial Improvement of Parkland shall be calculated by the Town based on the Code of Ordinance requirements in effect at the time when the property owner applies for a building permit.
 8. The Petitioner shall reimburse the Town of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the CSM and Rezone, including, but not limited to, the cost of professional services incurred by the Town of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
- B. The Town Board's approval expires one hundred-eighty (180) days from the date of adoption of this Resolution. Satisfaction of the conditions set forth above is the responsibility of the Petitioner. Time is of the essence.

The above and foregoing Resolution was duly adopted at the regular meeting of the Town Board of the Town of Windsor on the 20th day of August, 2015, by a vote of 4 in favor and 0 opposed.

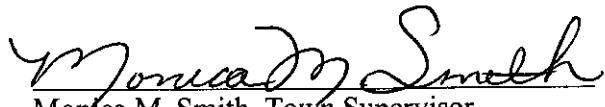
TOWN OF WINDSOR


Robert E. Wipperfurth, Town Chair


Donald G. Madelung, Town Supervisor


Bruce Stravinski, Town Supervisor

Excused Absence
Alan Buchner, Town Supervisor


Monica M. Smith, Town Supervisor

Attested by:

Christine Capstran, Town Clerk

Incorporated by Reference:
August 10, 2015 Staff Report