

**WINDSOR TOWN BOARD
RESOLUTION 2014-33**

**RESOLUTION RECOMMENDING APPROVAL OF A CERTIFIED SURVEY MAP
TO ADJUST THE PROPERTY BOUNDARY LINE
TO ACCOMMODATE AN ATTACHED GARAGE**

**[James Belda, Petitioner and Owner of 3840 County Highway V,
Town of Windsor, Dane County, Wisconsin].**

WHEREAS, James Belda, Petitioner and Owner of 3840 County Highway V, Town of Windsor, Dane County, Wisconsin, by Birrenkott Surveying, Inc., as surveyor, prepared a Certified Survey Map ("CSM") creating two lots in order to adjust the property boundary line to accommodate an attached garage; and

WHEREAS, the Town Planner has reviewed the request and prepared a Staff Report dated May 12, 2014 for the Plan Commission and updated for review by the Town Board on June 19, 2014 ("Staff Report"), which Staff Report recommends approval to the Town Board, subject to certain conditions specified in the Staff Report; and

WHEREAS, following review of the CSM and Staff Report, the Plan Commission recommended approval of same, subject to those conditions specified in the Staff Report, and as set forth in Plan Commission Resolution 2014-13; and

WHEREAS, following review of same, the Town Board hereby recommends approval, subject to those conditions set forth herein.

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

A. The Town Board of the Town of Windsor hereby approves the Certified Survey Map for James Belda located at 3840 County Highway V, subject to the following conditions:

1. Subject to the petitioner receiving approval of the CSM by the Village of DeForest.
2. Subject to the petitioner receiving approval of the CSM by Dane County.
3. Subject to the petitioner recording a Deed Restriction in a form approved by the Town Attorney (or amending the existing Deed Restriction) acknowledging that Lot 1 retains one (1) development right per the Town of Windsor Comprehensive Plan: 2025, and that Lot 2 shall be restricted from any further land division.
4. Subject to the petitioner amending, if applicable, the legal descriptions for the driveway access agreement and shared well agreement in a form approved by the Town Attorney.

5. Subject to the petitioner recording 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 for a residential unit to be issued by the Town of Windsor for Lot 1 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.
6. Subject to the petitioner recording 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 for a residential unit to be issued by the Town of Windsor for Lot 1 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.
7. Subject to the petitioner reimbursing the Town of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the CSM, 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. It is the Petitioner's obligation to timely satisfy those conditions adopted by the Town Board, and to provide satisfactory verification of compliance to the Town. To provide time necessary for due diligence review, all submissions to the Town for determinations of compliance shall be made at least ten (10) business days prior to the date upon which verification of compliance is required.

C. The Town Board's approval expires one hundred eighty (180) days from the date of adoption of this Resolution, and all conditions set forth herein must be satisfied prior to expiration of this approval or the approval shall be deemed null and void. Time is of the essence.

[SIGNATURES ON FOLLOWING PAGE]

The above and foregoing Resolution was duly adopted at the regular meeting of the Town Board of the Town of Windsor on the 19th day of June, 2014.

TOWN OF WINDSOR

Robert E. Wipperfurth
Robert E. Wipperfurth, Town Chairman

Bruce R. Stravinski
Bruce Stravinski, Town Supervisor

Monica M. Smith
Monica M. Smith, Town Supervisor

Excused Absence
Donald G. Madelung, Town Supervisor

Alan Buchner
Alan Buchner, Town Supervisor

Attest:
Christine Capstran
Christine Capstran
Clerk



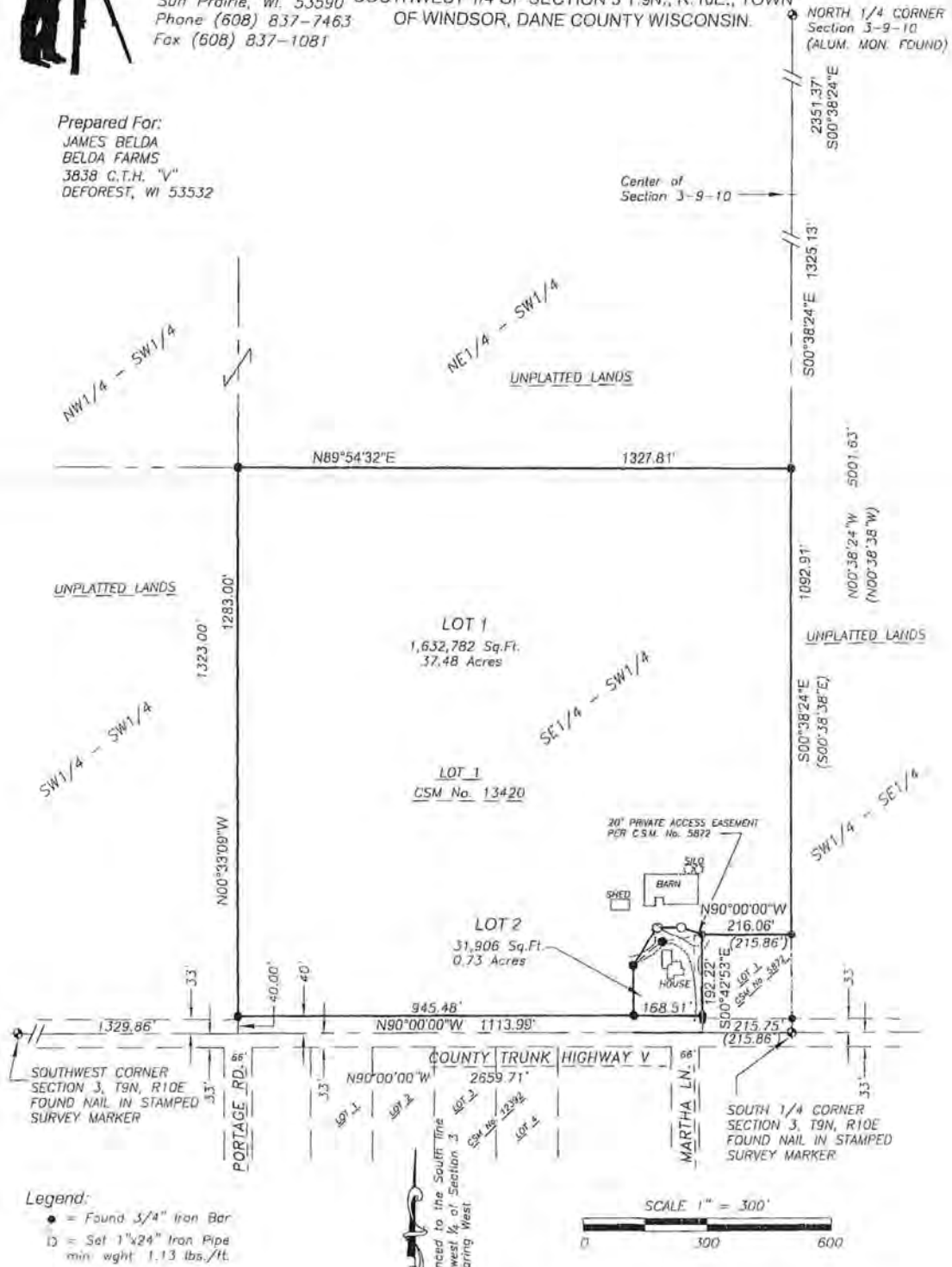
**BIRRENKOTT
SURVEYING, INC.**

P.O. Box 237
1677 N Bristol Street
Sun Prairie, WI, 53590
Phone (608) 837-7463
Fax (608) 837-1081

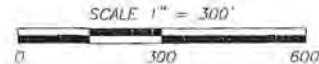
CERTIFIED SURVEY MAP

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 13420
BEING A PART OF THE SOUTHWEST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 3 T.9N., R.10E., TOWN
OF WINDSOR, DANE COUNTY WISCONSIN.

Prepared For:
JAMES BELDA
BELDA FARMS
3838 C.T.H. "V"
DEFOREST, WI 53532



- Legend:**
- = Found 3/4" Iron Bar
 - = Set 1"x24" Iron Pipe min wght 1.13 lbs./ft.



SHEET 1 OF 4
Office Map No. 140245

CERTIFIED SURVEY MAP NO. _____
 VOLUME _____ PAGE _____
 DOCUMENT NO. _____

Bearings referenced to the South line of the Southwest 1/4 of Section 3 bearing West



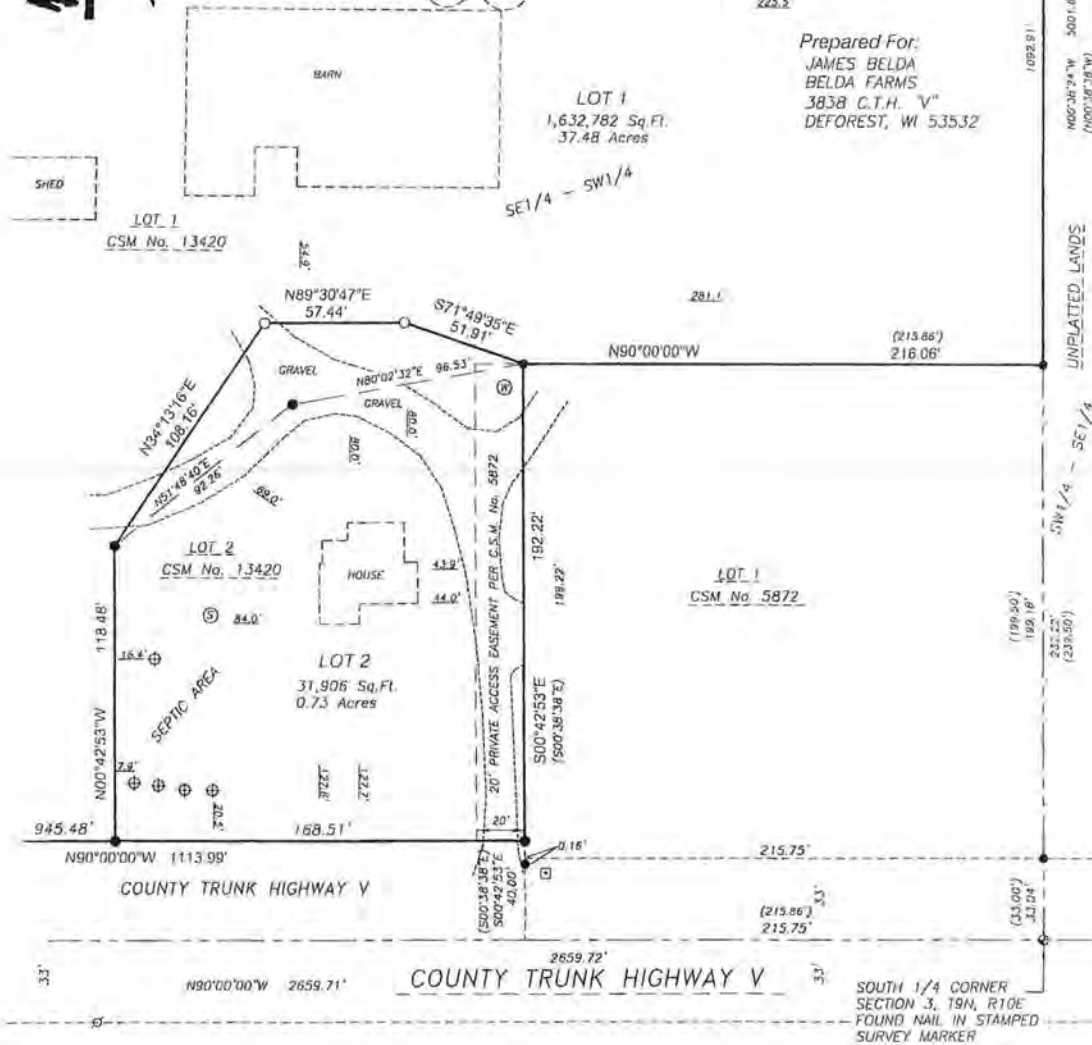
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CERTIFIED SURVEY MAP

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 13420
BEING A PART OF THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 3 T.9N., R.10E., TOWN
OF WINDSOR, DANE COUNTY WISCONSIN.

Prepared For:
JAMES BELDA
BELDA FARMS
3838 C.T.H. "V"
DEFOREST, WI 53532



Legend:

- = Found 3/4" Iron Bar
- = Set 1"x24" Iron Pipe
min. wght. 1.13 lbs./ft.
- ⊕ = Septic Tank
- ⊕ = Septic Vent
- ⊙ = Well
- ⊠ = Telephone Pedestal
- ⊞ = Utility Pole
- ⊞ = Electric transformer

SCALE 1" = 60'



Bearings referenced to the South line
of the Southwest 1/4 of Section 3
bearing West