

Dane County Rezone Petition

Application Date	Petition Number
07/19/2021	DCPREZ-2021-11745
Public Hearing Date	
09/28/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME TOWN OF CROSS PLAINS	PHONE (with Area Code) (608) 320-3243	AGENT NAME TOWN OF CROSS PLAINS	PHONE (with Area Code) (608) 320-3243
BILLING ADDRESS (Number & Street) 3734 County Highway P		ADDRESS (Number & Street) 3734 COUNTY ROAD P	
(City, State, Zip) Cross Plains, WI 53528		(City, State, Zip) Cross Plains, WI 53528	
E-MAIL ADDRESS		E-MAIL ADDRESS tcpchair@tds.net	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
		4173 County Highway P		4173 County Highway P	
TOWNSHIP CROSS PLAINS	SECTION 21	TOWNSHIP CROSS PLAINS	SECTION 15	TOWNSHIP CROSS PLAINS	SECTION 15
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0707-152-9420-3		0707-152-9420-3		0707-152-9425-8	
0707-213-9500-2					

REASON FOR REZONE

TOWN BLANKET REZONE PETITION TO CORRECT MINOR CHANGES IN ZONING MAP TO ENSURE CONSISTENCY WITH PLAN

FROM DISTRICT:	TO DISTRICT:	ACRES
LC Limited Commercial District	GC General Commercial District	.5
RR-2 Rural Residential District	GC General Commercial District	.5
FP-35 Farmland Preservation District	HC Heavy Commercial District	1.2

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS SCW1	SIGNATURE: (Owner or Agent) Pamela Andros
				PRINT NAME: Pamela Andros

DATE:

July 19, 2021

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):
0707-213-9500-2

LEGAL DESCRIPTION:

SEC 21-7-7 PRT SE1/4 SW1/4 COM SWC E ALONG S LINE 340 FT; N 175 FT TO POB; N 300 FT;
W 175 FT; S 300 FT; E 175 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.

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 not to exceed 50 motor 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: _____

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.

THEREFORE, 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, 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.
- 3. Outdoor dining & seating is limited to 30 people.

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.

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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.

Rezone 2021 11745



DANE COUNTY
PLANNING & DEVELOPMENT

Zoning Change Application

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

Items that must be submitted with your application:

- o **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.
- o **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 Various c/o Town of Cross Plains
Address 3734 County Road P
Cross Plains, WI 53528
Phone (608) 798-0189
Email tcpclerk@tds.net

Agent's Name Greg Hyer, Town Chair, Town of Cross Plains
Address 4296 County P
Cross Plains, WI 53528
Phone (608) 320-3243
Email tcpchair1@tds.net

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

Section: 01 Property address or location: Various (see attached list)

Zoning District change: (To / From / # of acres) Various districts, 2.2 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 rezone petition to correct minor errors in new zoning map and to ensure consistency with town / county comprehensive plan. Previously approved but deed restrictions not recorded and reverted to current zoning

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

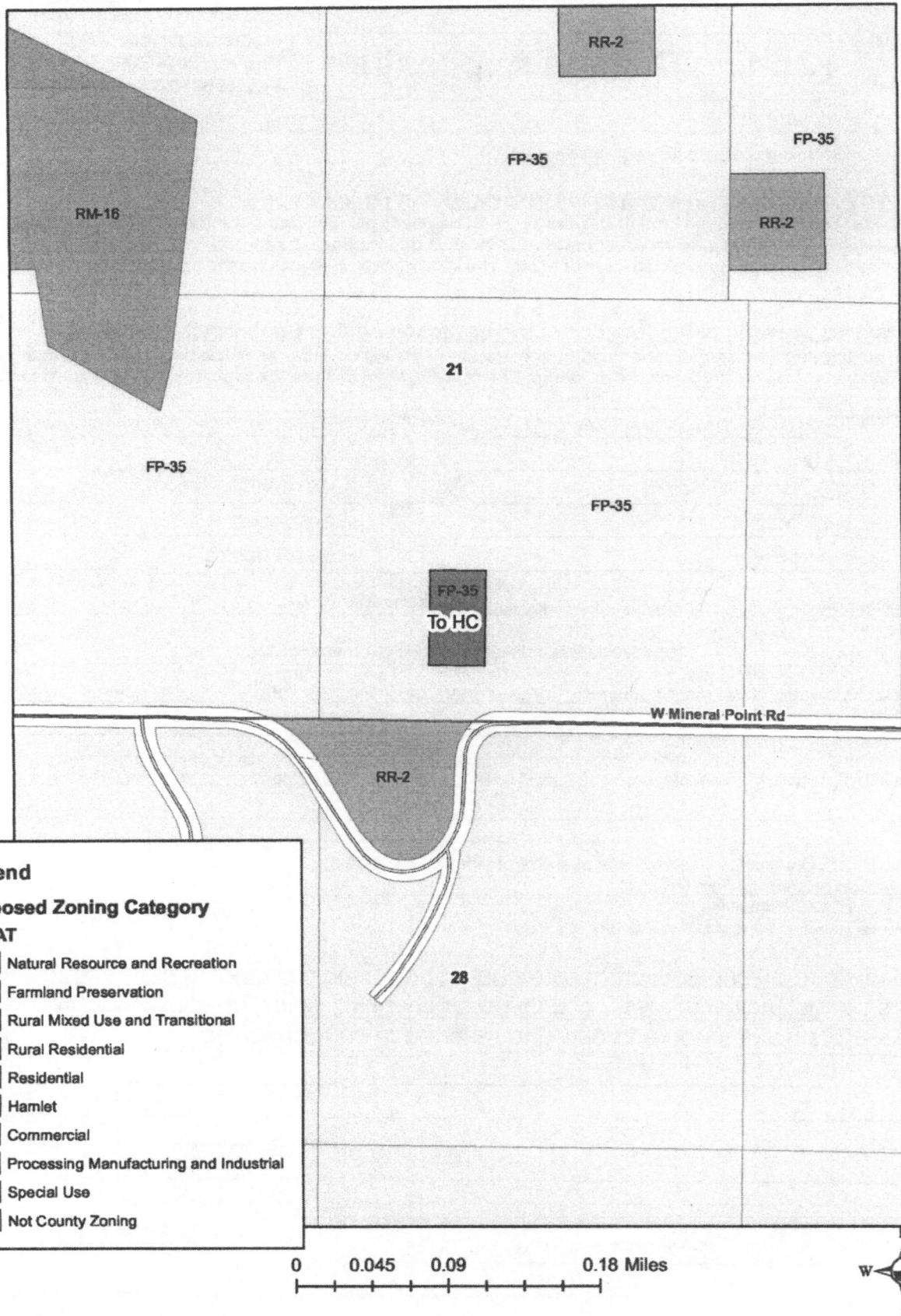
Date: 05/25/2021

24711 1502 20529

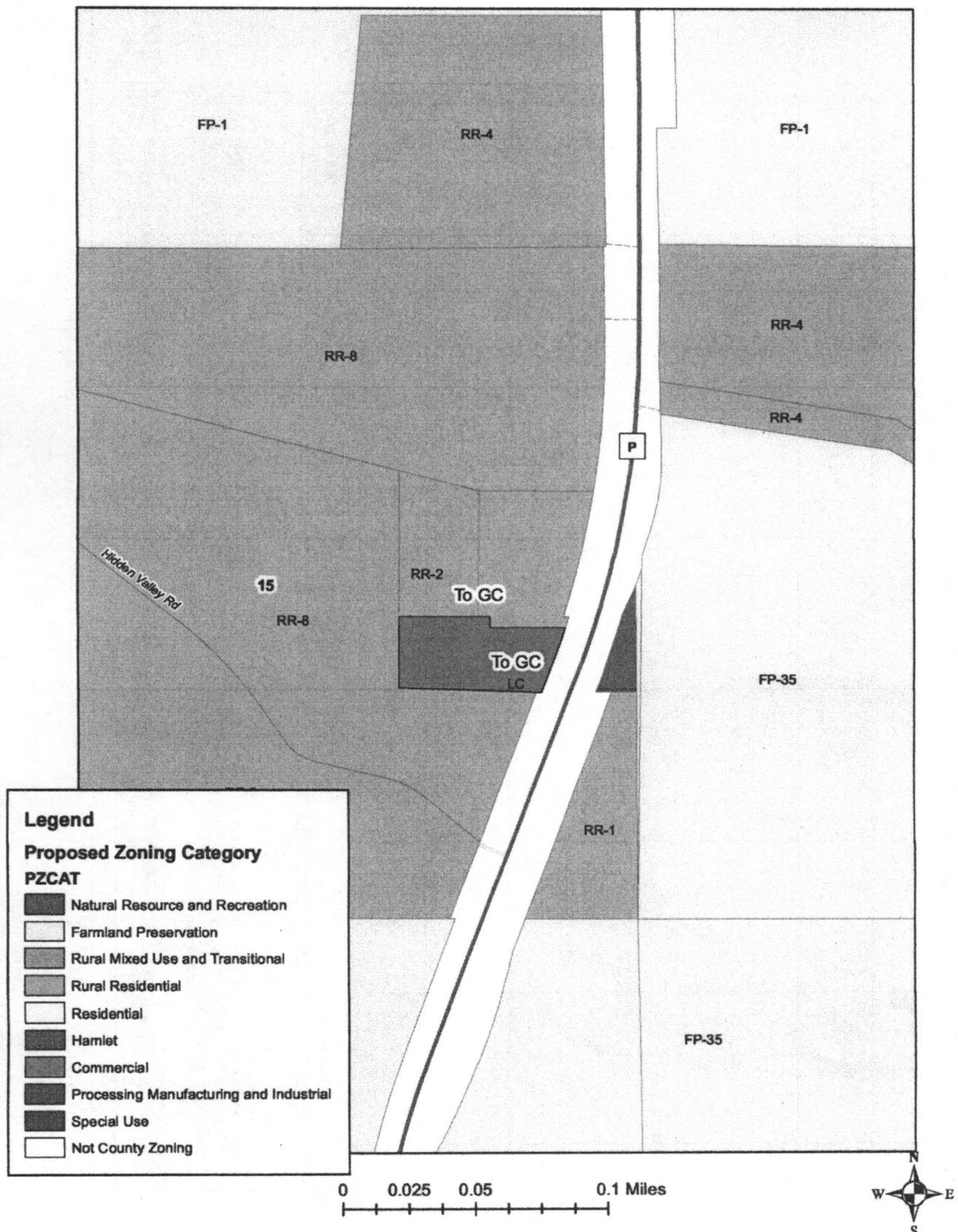
Town of Cross Plains Rezone Petition

Section 21

25 21
May 8, 2016



25 21
May 9, 2019



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

2021

PIN	Current zoning	Proposed zoning	Zoning parcel boundaries	Acres	Conditions	Notes
070721395002	FP-35	HC	Same as Petition 2914, SEC 21-7-7 PRT SE1/4 SW1/4 COM SWC E ALONG S LINE 340 FT; N 175 FT TO POB; N 300 FT; W 175 FT; S 300 FT; E 175 FT TO POB.	1.2	With DR to limit uses (see attached)	Accommodate existing car sales use.
070715294203, 070715294258	LC, RR	GC	SEC 15-7-7 PRT SW1/4 NW1/4 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.