

**TOWN OF WINDSOR
TOWN BOARD RESOLUTION 2014-57**

**RESOLUTION CONDITIONALLY APPROVING CERTIFIED SURVEY MAP
COMBINING LOTS 16 AND 17 OF
FIELD OF DREAMS ADDITION TO WINDSOR GARDENS SUBDIVISION
IN THE TOWN OF WINDSOR, DANE COUNTY, WISCONSIN**

[Donald & Joanne Tierney for Petitioner and Owner of Lots 16 & 17]

RECITALS

WHEREAS, Donald & Joanne Tierney as Petitioner (“Petitioner”) and owner of Lots 16 & 17 of the Field of Dreams Addition to Windsor Gardens (“Property”) are requesting approval of a Certified Survey Map combining Lots 16 & 17, which Lots are located at the intersection of Covered Bridge Trail and Morning Dew Lane in the Town of Windsor;

WHEREAS, Petitioner plans to use the combined lot, which will be approximately 1.47 acres, as a Parade of Homes site;

WHEREAS, the Town Planner has reviewed the request and prepared a Staff Report dated September 6, 2014 (“Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report;

WHEREAS, following review of the Petitioner’s application materials and Staff Report, and consideration of the recommendations from the Plan Commission, the Town Board finds that the request is consistent with the Town of Windsor Comprehensive Plan 2025 and applicable zoning provisions of the Dane County Code of Ordinances and 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 Windsor Town Board **Conditionally Approves** the Certified Survey Map for Donald and Joanne Tierney, which CSM combines Lots 16 and 17 of the Field of Dreams Addition to Windsor Gardens and creates proposed Lot 1, all subject to the following conditions:

1. The Petitioner shall obtain approval of the CSM by the City of Sun Prairie. (*Note: Conditional approval from Sun Prairie has been obtained.*)
2. The Petitioner shall obtain approval of the CSM from Dane County.
3. The Petitioner shall construct all required public improvements to the proposed Lot 1, to the satisfaction of the Town Board, Town Attorney, and Town Engineer prior to issuance of a building permit.

4. The Petitioner shall ensure proper drainage on the site to the satisfaction of the Town Engineer prior to the issuance of a building permit.

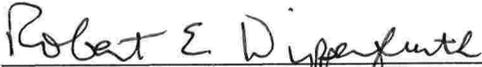
5. The Petitioner shall reimburse the Town of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the rezone, including, but not limited to, the cost of preparation of the legal documents, and for professional services incurred by the Town of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.

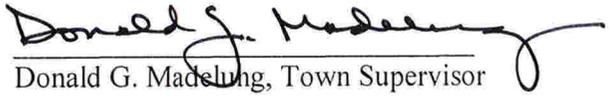
B. The Petitioner shall proceed with due diligence to meet the conditions set forth above and shall thereafter promptly record the CSM and provide a copy of the recorded CSM to the Town. The Town Board's approval of the CSM expires ninety (90) days from the date of adoption of this Resolution. Time is of the essence.

C. 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. Any necessary or requested reviews or submissions to the Town for determinations of compliance with this Resolution shall be made at least ten (10) business days prior to the date upon which verification of compliance is required.

The above and foregoing Resolution was duly adopted at the regular meeting of the Town Board of the Town of Windsor on the 18th day of September, 2014.

TOWN OF WINDSOR

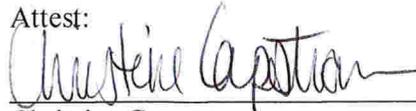

Robert E. Wipperfurth, Town Chairman


Donald G. Madelung, Town Supervisor


Bruce Stravinski, Town Supervisor


Alan Buchner, Town Supervisor


Monica M. Smith, Town Supervisor

Attest:

Christine Capstran
Clerk

TO: Town of Windsor Board

CC: Robert Wipperfurth, Chairman
Tina Butteris, Office Manager
Amy Anderson Schweppe, Planning & Development Coordinator
Kevin Richardson, Engineer
Constance Anderson, Attorney

FROM: Jamie Rybarczyk, Planning Consultant

RPT DATE: September 06, 2014

MTG DATE: September 18, 2014

FOTH FILE: 13W027.01/32

RE: Request for CSM by Donald & Joanne Tierney

BACKGROUND:

1. Petitioner/Property Owner: Donald & Joanne Tierney
2. Agent: Mark Pynnonen (d.b.a. Birrenkott Surveying, Inc.)
3. Location/Address: Lots 16 & 17, Field of Dreams Addition to Windsor Gardens
4. Taxkey Number: 068-0910-254-2666-0 and 068-0910-254-2677-0
5. Area: Lot 16 - 0.77ac, Lot 17 - 0.70ac
6. Existing Zoning: Suburban Residential SR-4
7. Proposed Zoning: N/A
8. Future Land Use: Traditional Single Family Residential

OVERVIEW:

The petitioner wishes to combine lots 16 and 17 of the Field of Dreams Addition to Windsor Gardens (approximately 1.47 acres). The petitioner wishes to construct a single family residence on the new lot for the possible 2015 Parade of Homes.

SURVEYING COMMENTS:

Staff has no technical comments regarding the proposed Certified Survey Map per Wis. Stats. 236.34, and the Town of Windsor Code of Ordinances.

ENGINEERING COMMENTS:

The Certified Survey Map illustrates a flow arrow along the common lot line of Lots 16 and 17, which is also depicted on the Field of Dreams Plat. Though there is no drainage easement, this arrow indicates how surface drainage is to be preserved during and after construction of the single family residences. An alternate drainage pattern will need to be designed prior to start of construction of the new single family residence.

TOWN POLICY CONCERNS/ISSUES:

It should be noted that although construction of the Windsor Gardens subdivision is underway, there is currently no public access to the proposed Lot 1 for construction of the single family residence. All required public improvements shall be installed prior to the start of construction on the single family residence.



Staff Report

STAFF RECOMMENDATION:

Depending on confirmation by the Town of Windsor Board of the above described comments, the Town of Windsor Board may take the following action:

The Town of Windsor Board **Conditionally Approves** the Certified Survey Map for Donald and Joanne Tierney to be located on Lots 16 and 17 of the Field of Dreams Addition of Windsor Gardens subject to the following conditions:

1. Subject to the petitioner receiving approval of the CSM by the City of Sun Prairie.
2. Subject to the petitioner receiving approval of the CSM by Dane County.
3. Subject to the petitioner constructing all required public improvements to the proposed Lot 1, to the satisfaction of the Town Board, Town Attorney, and Town Engineer prior to issuance of a building permit.
4. Subject to the petitioner ensuring proper drainage on the site to the satisfaction of the Town Engineer prior to the issuance of a building permit.
5. The petitioner has reimbursed 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.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed CSM is consistent with the Town of Windsor Comprehensive Plan: 2025.

TOWN OF WINDSOR CHAPTER 38 (PLANNING & DEVELOPMENT) AND DANE COUNTY CHAPTER 75 (LAND DIVISION & SUBDIVISION REGULATIONS) CONSISTENCIES:

The proposed CSM is consistent with Chapter 38 (Planning and Development) of the Town of Windsor Code of Ordinances and Chapter 75 (Land Division and Subdivision Regulations) of the Dane County Code of Ordinances.

ZONING CONSISTENCY:

The proposed CSM is consistent with the Sun Prairie-Windsor Extraterritorial Zoning Ordinance.

EXHIBITS:

- A. Dane County DCiMap
- B. Petitioner Application

Field of Dreams



July 23, 2014

Tax Parcels

1:9,600



Planning
Geophysical

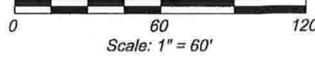


**BIRRENKOTT
SURVEYING, INC.**

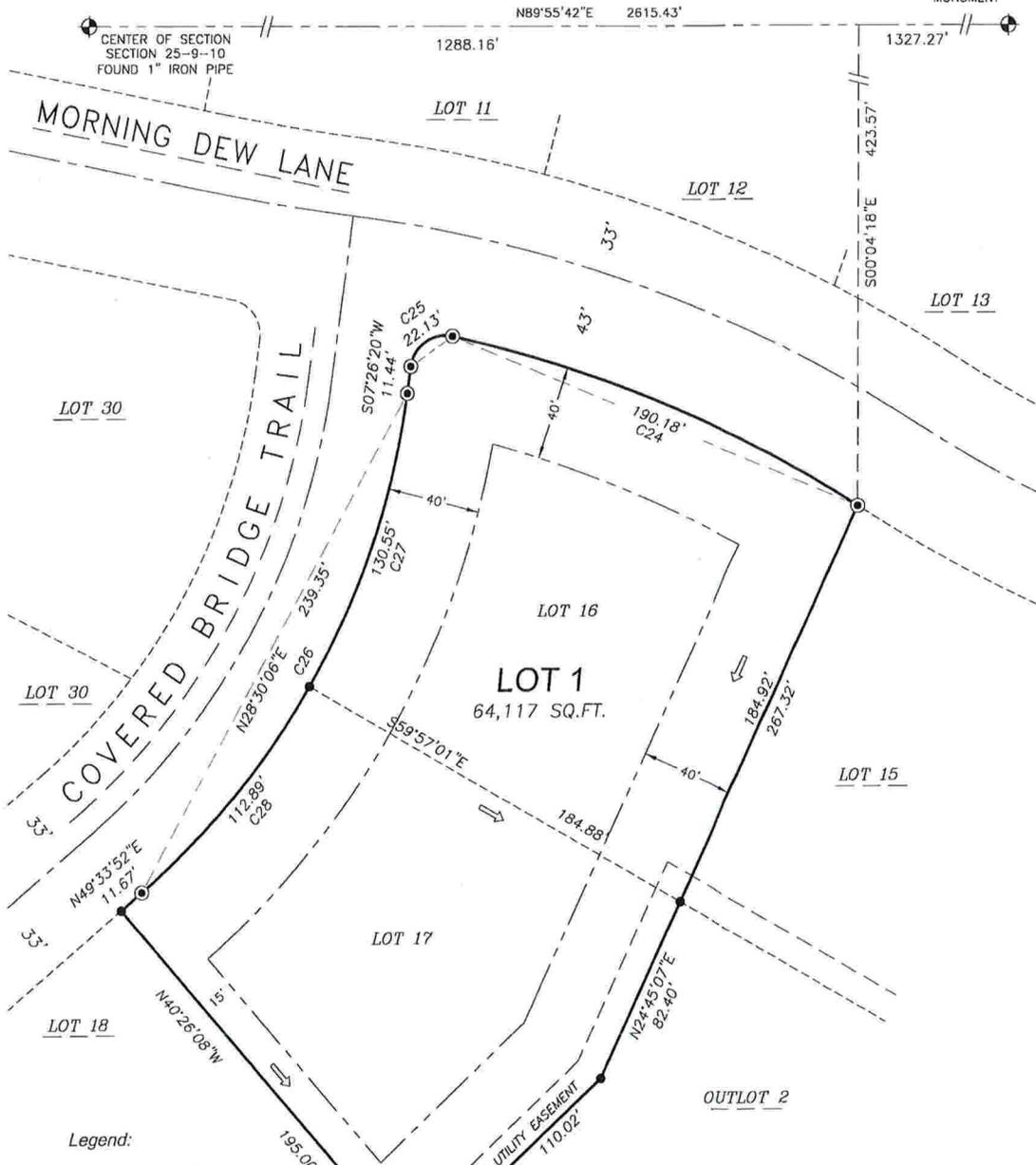
P.O. Box 237
1677 N. Bristol Street
Sun Prairie, Wis. 53590
Phone: (608) 837-7463
Fax: (608) 837-1081

CERTIFIED SURVEY MAP

Lots 16 and 17, Field of Dreams Addition to Windsor Gardens, located in the Northwest 1/4 of the Southeast 1/4, Section 25, T9N, R10E, Town of Windsor, Dane County Wisconsin.



EAST 1/4 CORNER
SECTION 25-9-10
FOUND ALUMINUM
MONUMENT



- Legend:**
- = Found 1" Iron Pipe
 - ⊙ = Found 1-1/4" Iron Bar
 - ⊕ = Section Corner, Monument as Noted
 - - - = Building Setback Line
 - ↔ = Direction of Drainage

CURVE TABLE

CURVE	RADIUS	ARC	LENGTH	BEARING	DELTA
C24	557.00'	191.12'	190.18'	S67°39'05"E	19°39'34"
C25	15.00'	24.89'	22.13'	N54°58'44"E	95°04'48"
C26	333.00'	244.83'	239.35'	N28°30'06"E	42°07'32"
C27	333.00'	131.40'	130.55'	N18°44'35"E	22°36'30"
C28	333.00'	113.43'	112.89'	N39°48'21"E	19°31'02"
TANGENT BEARING					
S77°28'52"E					

CERTIFIED SURVEY MAP NO. _____

VOLUME _____ PAGE _____

DOCUMENT NO. _____



CERTIFIED SURVEY MAP DATED: July 18, 2014

Birrenkott Surveying, Inc.

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

Surveyor's Certificate:

I, Daniel V. Birrenkott, herby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Registered Land Surveyor No. S-1531

Description:

Lots 16 and 17, Field of Dreams Addition to Windsor Gardens, located in the Northwest ¼ of the Southeast ¼, Section 25, T9N, R10E, Town of Windsor, Dane County, Wisconsin.

Owners Certificate:

We, Donald C. Tierney and Joanne K. Tierney, as owners, hereby certify that we have caused the lands described on this Certified Survey Map to be surveyed, divided and mapped as shown on this Certified Survey Map. We also certify that this Certified Survey Map is required by 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval. We further certify that this Certified Survey Map is required to be submitted to the city of Sun Prairie for approval.

Donald C. Tierney

Joanne K. Tierney

State of Wisconsin)

Dane County) ss Personally came before me this _____ day of _____, 2014, the above-named Donald C. Tierney and Joanne K. Tierney, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin

My Commission Expires _____

Printed name

Town of Windsor Certificate:

This Certified Survey Map has been approved by the Town Board of the Town of Windsor, Consistent with the action taken by the Town Board on the _____ day of _____, 2014

Christine Capstran, Clerk, Town of Windsor

Dated _____

City of Sun Prairie Certificate:

This Certified Survey Map, including any right of way dedication or other dedication herein, is hereby approved by the City Planning Director for the recording on this _____ day of _____, 2014.

Scott Kugler, Planning Director
City of Sun Prairie

Dated _____

Surveyed For:

Don Tierney
3564 Egge Road
DeForest, Wis. 53532
608-837-0102

Approved for recording, per Dane County Zoning and Land Regulation Committee action, dated _____, 2014.

Daniel Everson, Authorized Representative

Register of Deeds Certificate:

Received for recording this _____ day of _____, 2014 at _____ o'clock _____ m and recorded in Volume _____ of Certified Survey Maps of Dane County on Pages _____.

Kristi Chlebowski, Register of Deeds

Surveyed:

Drawn: M.A.P.

Checked: M.A.P./D.V.B.

Approved: D.V.B.

Field book:

Tape/File: J:\2014\Carlson

Document No. _____

Sheet 2 of 2
Office Map No.: 140490

Certified Survey Map No. _____, Volume _____, Page _____

TOWN OF WINDSOR

General Information and Application for Development, Land Division, Site Plan and Zoning

The Town of Windsor Plan Commission typically meets on the Third Tuesday of every month at 6:00 p.m., and the Town Board typically reviews planning issues on the third Thursday of every month at 5:00 p.m. (or as otherwise scheduled) at the Town Hall, 4084 Mueller Road. Applicants must submit a complete application and materials no less than 30 days prior to the next regularly scheduled Plan Commission meeting.

Requested Action:

Rezone Concept Plan Site Plan Review
 Conditional Use Permit Preliminary Plat Final Plat
 Variance Certified Survey Map

Other Agencies that may need to be addressed (staff will provide direction):

Dane County Zoning
 City of Sun Prairie
 Village of DeForest
 Token Creek Conservancy Committee or Windsor Parks Commission
 Capital Area Regional Plan Commission (CARPC)
 Wisconsin Department of Transportation (DOT)
 Wisconsin Department of Natural Resources (DNR)

Project Location:

LOTS 16 & 17, FIELD OF DREAMS ADD'N TO WINDSOR GARDENS

Parcel Number(s)

068-0910-254-2666-0, 068-0910-254-2677-0

Zoning Jurisdiction:

City of Sun Prairie / Town of Windsor Extra Territorial Zoning
 Dane County

Applicant Statement (Must be signed prior to the time the Application is reviewed by staff).

I have reviewed and understand the Town of Windsor subdivision ordinance, site plan review ordinance and applicable zoning ordinance as they relate to technical specifications, required submittal information, and standards for approval relating to this request and those standards governing the Town's recommendations and decisions.

I understand an administrative fee will be assessed for review of my project by the Town and its consultants, and that payment in full is required as a condition for approval. Consultant fees are invoiced and paid separately by the applicant in addition to any application fees.

Mark A. Pynnönen July 18, 2014
Applicant Signature Date

MARK A. PYNNONEN FOR
BIRRENKOTT SURVEYING, INC.

Contact Information

Applicant:

Name: Birrenkott Surveying Inc
Address:
City, State, Zip:
Phone Number(s):
Cell Phone(s):
Email Address(es):

Surveyor:

Name: Birrenkott Surveying, Inc
Address: 1677N. Bristol St
City, State, Zip: Sun Prairie, WI 53590
Phone Number(s): 608-837-7463
Cell Phone(s):
Email Address(es): MPYNNONEN@BIRRENKOTTSURVEYING.COM

Attorney:

Name: Mike Lawton, BOARDMAN'S CLARK LLP
Address: 1 S. PINCKNEY STREET, SUITE 410
City, State, Zip: MADISON, WI 53701-0927
Phone Number(s): 286-7236
Cell Phone(s):
Email Address(es): MLAWTON@BOARDMANCLARK.COM

Owner:

Name: Donald + Joanae Tierney
Address: 3564 Egge Rd.
City, State, Zip: DeForest WI 53532
Phone Number(s): 577 6538
Cell Phone(s):
Email Address(es):

Engineer:

Name:
Address:
City, State, Zip:
Phone Number(s):
Cell Phone(s):
Email Address(es):

Town of Windsor

Certified Survey Map Review

Certified Survey Map Application Form

The Town of Windsor Plan Commission typically meets on the third Tuesday of every month at 6:00 p.m., and the Town Board typically reviews planning issues on the third Thursday of every month at 5:00 p.m. (or as otherwise scheduled) at the Town Hall, 4084 Mueller Road. Applicants must submit an application for a Certified Survey Map no less than 30 days prior to the next regularly scheduled Plan Commission meeting.

The application shall: 1) be on forms made available from the Town and accompanied by the required fee and review escrow, 2) include 30 copies of the certified survey map drawn per the requirements of Section 4.4 of the Town Subdivision Ordinance, and 3) include a digital pdf copy of all submitted drawings and supplementary data.

The applicant is responsible for adhering to all requirements of Town ordinances, regulations, plans, and policies. This form shall not be deemed a substitute for the applicant's thorough reading and understanding of applicable Town ordinances, regulations, plans, and policies.

Process for Review and Approval (per Sections 4.1, 4.5, and 4.13 of Subdivision Ordinance)

- 1) Consultation meeting with Town Staff
- 2) Submittal (at least 30 days prior to next plan commission meeting) of application form, fees and review escrow, and CSM and supplementary materials as described above
- 3) Staff review of application materials for compliance with requirements
- 4) Plan Commission review, public hearing, and recommendation
- 5) Town Board review, public hearing, and action
- 6) Subdivider shall record the CSM with the Dane County Register of Deeds within 30 days of approval by Town Board and any other approving agencies, and provide a copy of executed documents to Town Clerk

Technical Requirements of CSM (per Section 4.12 of Town Subdivision Ordinance)

The CSM shall show correctly on its face all the information required by Wis. Statute 236.34, and shall meet all the surveying and monumenting requirements of Wis. Statute 236.15. In addition, the applicant shall submit the following documents which shall be considered to be incorporated with and made part of the CSM:

Item	Applicant
1 Deed Restrictions	A
2 Joint Maintenance Agreements	N/A

3	All certificates required by Wis. Stat. 236.34	✓
4	Final Street Plan	N/A
5	Final Stormwater Management Plan	N/A
6	Final Erosion and Sedimentation Control Plan	N/A
7	Soil and Subsurface Investigation Report	N/A
5	Traffic Control Plan	N/A
8	Water and Sewer Plans	N/A
9	Opinion of Probable Cost	N/A
10	Additional Plans or Information	N/A
11	Owner's and Mortgagee's certificates for Street Dedication	N/A

Checklist Legend:	
✓	submitted completely
N/S	not submitted
N/A	not applicable to project
W	waived for reasons to be described in staff report
P	submittal pending, material must be submitted prior to meeting as requested by staff
A	submittal pending, material required as condition for approval

Date Complete Application Submitted: 7-21-14