

**VILLAGE OF WINDSOR
VILLAGE BOARD RESOLUTION 2015-10**

**RATIFICATION OF TOWN BOARD APPROVAL
OF CERTIFIED SURVEY MAP (CSM) AND REZONE
AT 3178 COUNTY HIGHWAY V, VILLAGE OF WINDSOR, DANE COUNTY**

RECITALS

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

WHEREAS, the terms and conditions of the Town of Windsor's approval are set forth in the Town of Windsor's Town Board Resolution 2015-70, which was approved in August 20, 2015 and is hereby incorporated herein by reference; and

WHEREAS, following approval by the Town of Windsor, the Petitioner was advised of the requirements to complete the process for the CSM and rezone; and

WHEREAS, on November 9, 2015, and prior to Petitioner's completion of the process, the Town of Windsor was incorporated as the Village of Windsor; and

WHEREAS, Dane County no longer has jurisdiction over the Property, and has indicated that the matter is the responsibility of the Village of Windsor; and

WHEREAS, the Village Board of the Village of Windsor has reviewed the matter and wishes to ratify the substantive action of the Town Board while simultaneously meeting the procedures required of incorporated municipalities, all as set forth below and subject to the conditions set forth in this Resolution.

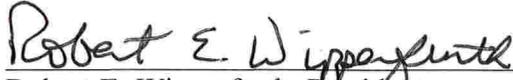
NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor as follows:

- A. The Recitals set forth above are incorporated herein by reference.
- B. The Village Board of the Village of Windsor **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 Property is subject to the zoning authority of the Village of Windsor and shall be zoned 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.
 2. The Petitioner shall satisfy all conditions of approval by the Village of Windsor, and shall thereafter promptly record the CSM and deed restrictions with the Dane County Register of Deeds.
 3. The Petitioner shall acknowledge that the agricultural buildings on Lot 1 shall not be used for the housing of livestock.
 4. The Petitioner shall record a deed restriction, in a form approved by the Village 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.
 5. The Petitioner shall record a deed restriction, in a form approved by the Village Attorney, running to the benefit of the Village 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 that the property owner applies for a building permit to be issued by the Village of Windsor for Lot 2 of the proposed CSM. The Fees In Lieu of Parkland shall be calculated by the Village based on the Code of Ordinance requirements in effect at the time when the property owner applies for a building permit.
 6. The Petitioner shall record a deed restriction, in a form approved by the Village 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 Village 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 Village 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 reimburse the Village 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 Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
- B. The Village 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 a special meeting of the Village Board of the Village of Windsor on the 23rd day of November, 2015, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR


Robert E. Wipperfurth, President


Donald G. Madelung, Trustee


Bruce Stravinski, Trustee


Alan Buchner, Trustee


Monica M. Smith, Trustee

Attested by:

Christine Capstran, Village Clerk

Incorporated by Reference:
August 10, 2015 Staff Report