

**VILLAGE OF WINDSOR
BOARD RESOLUTION 2016-58**

**APPROVAL OF CONDITIONAL USE PERMIT
FOR SINGLE FAMILY RESIDENCE IN C-1 (COMMERCIAL)
AT 4215 SNOWY OWL COURT, VILLAGE OF WINDSOR**

WHEREAS, David and Sandra Grinde (“Petitioner”), as owners of 4213 Snowy Owl Court (“Subject Property”), are requesting approval of a Conditional Use Permit (“CUP”) for a single family residence located on the Subject Property and located within the C-1 Commercial zoning district of the Village of Windsor; and

WHEREAS, the Town Planner has reviewed the request and prepared a Staff Report dated April 12, 2016 (“Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, following review of the Staff Report and consideration of information presented at the joint meeting, the Plan Commission has decided to recommend approval to the Village Board, subject to the conditions specified in the Staff Report and set forth in Plan Commission Resolution 2016-18; and

WHEREAS, the Village Board has reviewed the relevant information and hereby approves the CUP, all as set forth herein.

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

1. The Village of Windsor Board Conditionally Approves of the CUP for 4215 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
 - a) The Conditional Use Permit approval is limited to Taxkey Number 091009287151, approximately 1.25 acres.
 - b) The Conditional Use Permit approval allows for the continuation of a single family residence.
 - c) Within thirty (30) days of approval by the Village Board, the Petitioner shall provide to the Village of Windsor documentation that the existing single family residence operates on its own sanitary septic system and well located on the subject property. Time is of the essence. If the necessary documentation is not provided within said thirty (30) days, this Conditional Use Permit shall be null and void.
 - d) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use Permit approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
2. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.

The above and foregoing Resolution was duly adopted at a meeting of the Village Board of the Village of Windsor on April 19, 2016, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR

Robert E. Wipperfurth
Robert E. Wipperfurth, President

Bruce Stravinski
Bruce Stravinski, Trustee

Monica M. Smith
Monica M. Smith, Trustee

Donald G. Madelung
Donald G. Madelung, Trustee

Alan Buchner
Alan Buchner, Trustee

Attested by:
Tina Butteris
Tina Butteris, Deputy Village Clerk

Incorporated by Reference:
Staff Report dated April 12, 2016



Staff Review

TO: Village of Windsor Plan Commission
Village of Windsor Board

CC: Robert Wipperfurth, Tina Butteris, Amy Anderson Schweppe, Kevin Richardson, Connie Anderson

FROM: Jamie Rybarczyk, Planning Consultant

RPT DATES: April 12, 2016

MTG DATES: April 19, 2016

APRVL DATE: June 01, 2016

FOTH FILE: 16W027.01/03

RE: Grinde – Condition Use Permit Requests

BACKGROUND:

1. Petitioner/Agent: David Grinde
2. Property Owner: David Grinde
3. Location/Address: 4203, 4213, and 4215 Snowy Owl Court
4. Taxkey Number: 091009226501/091009226531, 091009286500, and 091009287151
5. Area: 0.83ac, 0.72ac, 1.25ac
6. Existing Zoning: C-1 Limited Commercial District (Village of Windsor)
7. Proposed Zoning: N/A
8. Future Land Use: Roadside Mixed Use

OVERVIEW:

The Petitioner owns three (3) existing parcels at the intersection of Snowy Owl Court and U.S.H. 51. Each of the existing parcels is accessed from Snowy Owl Court by a private access easement. The existing conditions of each parcel are as follows:

4203 Snowy Owl Court (091009226501/091009226531)

- Parcel is approximately 0.83 acres in size
- Parcel is zoned C-1 Limited Commercial District
- Parcel includes two (2) existing buildings used for rental storage
- The easterly building includes a caretaker apartment

4213 Snowy Owl Court (091009286500)

- Parcel is approximately 0.72 acres in size
- Parcel is zoned C-1 Limited Commercial District
- Parcel includes Top Notch Welding, a welding business that prepares materials and products for offsite installation
- The Petitioner wishes to construct a new residence on this parcel



Staff Review

4215 Snowy Owl Court (091009287151)

- Parcel is approximately 1.25 acres in size
- Parcel is zoned C-1 Limited Commercial District
- Parcel includes a single family residence

PLANNER COMMENTS:

Under the Village of Windsor's Zoning Ordinance, single family dwellings, duplex dwellings, multiple family dwellings, and similar uses are permitted within the C-1 Limited Commercial District subject to discussion and action of a Conditional Use Permit. It is the desire of the Petitioner to make the three (3) existing parcels and the existing and future uses of the parcels conforming to the Village of Windsor's Zoning Ordinance. Therefore, the Petitioner requests the following:

4203 Snowy Owl Court (091009226501/091009226531)

- Request a Conditional Use Permit to allow for the continuation of an existing caretaker residence on the subject parcel.

4213 Snowy Owl Court (091009286500)

- Request a Conditional Use Permit for the construction of a single family residence on the subject parcel.

4215 Snowy Owl Court (091009287151)

- Request a Conditional Use Permit to allow for the continuation of an existing single family residence on the subject parcel.

RECOMMENDATION FOR 4203 SNOWY OWL COURT:

Depending on confirmation by the Village of Windsor Plan Commission and Board of the above described comments, the Village of Windsor Plan Commission and Board may take the following action:

1. The Village of Windsor Plan Commission **Approves PC Resolution 2016-16** for David Grinde located 4203 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
 - a) The Conditional Use approval is limited to Taxkey Number 091009226501 and 091009226531, approximately 0.83 acres.
 - b) The Conditional Use approval allows for the continuation of an existing caretaker residence in the existing easterly commercial building. Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor a detailed Floor Plan of the easterly building identifying the caretaker residence.
 - c) The Conditional Use approval allows for the continuation of rental storage in the two (2) existing commercial buildings located on the subject property.
 - d) The Petitioner shall comply with the Windsor Business Design Standards for lands designated as Roadside Mixed Use as outlined in the Village of Windsor Comprehensive Plan: 2035.
 - e) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - f) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, including, but not



Staff Review

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.

2. The Village of Windsor Board **Approves Board Resolution 2016-56** for David Grinde located 4203 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
 - a) The Conditional Use approval is limited to Taxkey Number 091009226501 and 091009226531, approximately 0.83 acres.
 - b) The Conditional Use approval allows for the continuation of an existing caretaker residence in the existing easterly commercial building. Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor a detailed Floor Plan of the easterly building identifying the caretaker residence.
 - c) The Conditional Use approval allows for the continuation of rental storage in the two (2) existing commercial buildings located on the subject property.
 - d) The Petitioner shall comply with the Windsor Business Design Standards for lands designated as Roadside Mixed Use as outlined in the Village of Windsor Comprehensive Plan: 2035.
 - e) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - f) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.

RECOMMENDATION FOR 4213 SNOWY OWL COURT:

Depending on confirmation by the Village of Windsor Plan Commission and Board of the above described comments, the Village of Windsor Plan Commission and Board may take the following action:

1. The Village of Windsor Plan Commission **Approves PC Resolution 2016-17** for David Grinde located 4213 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
 - a) The Conditional Use approval is limited to Taxkey Number 091009286500, approximately 0.72 acres.
 - b) The Conditional Use approval allows for the construction of a single family residence. The single family residence shall be constructed within two (2) years of the effective date of the Conditional Use Permit, unless extended by the Village of Windsor Board. The single family residence shall comply with the applicable provisions of the Village of Windsor Zoning Ordinance.
 - c) The Conditional Use approval allows for the continuation of Top Notch Welding, a welding shop that prepares materials and products for "offsite" installation on active construction sites. The hours of operation are 6:00am to 9:00pm. The total number of employees is limited to two (2) full-time employees or part-time equivalent. The outdoor storage of items and materials is prohibited unless screened from public view.
 - d) Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor documentation that the new single family residence and existing Top Notch Welding can operate on a share sanitary septic system and well located on the subject property.
 - e) The Petitioner shall comply with the Windsor Business Design Standards for lands designated as Roadside Mixed Use as outlined in the Village of Windsor Comprehensive Plan: 2035.

- f) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - g) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.
2. The Village of Windsor Board **Approves Board Resolution 2016-57** for David Grinde located 4213 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
- a) The Conditional Use approval is limited to Taxkey Number 091009286500, approximately 0.72 acres.
 - b) The Conditional Use approval allows for the construction of a single family residence. The single family residence shall be constructed within two (2) years of the effective date of the Conditional Use Permit, unless extended by the Village of Windsor Board. The single family residence shall comply with the applicable provisions of the Village of Windsor Zoning Ordinance.
 - c) The Conditional Use approval allows for the continuation of Top Notch Welding, a welding shop that prepares materials and products for "offsite" installation on active construction sites. The hours of operation are 6:00am to 9:00pm. The total number of employees is limited to two (2) full-time employees or part-time equivalent. The outdoor storage of items and materials is prohibited unless screened from public view.
 - d) Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor documentation that the new single family residence and existing Top Notch Welding can operate on a share sanitary septic system and well located on the subject property.
 - e) The Petitioner shall comply with the Windsor Business Design Standards for lands designated as Roadside Mixed Use as outlined in the Village of Windsor Comprehensive Plan: 2035.
 - f) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - g) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.

RECOMMENDATION FOR 4215 SNOWY OWL COURT:

Depending on confirmation by the Village of Windsor Plan Commission and Board of the above described comments, the Village of Windsor Plan Commission and Board may take the following action:

- 1. The Village of Windsor Plan Commission **Approves PC Resolution 2016-18** for David Grinde located 4215 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
 - a) The Conditional Use approval is limited to Taxkey Number 091009287151, approximately 1.25 acres.
 - b) The Conditional Use approval allows for the continuation of a single family residence.



Staff Review

- c) Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor documentation that the existing single family residence operates on its own sanitary septic system and well located on the subject property.
 - d) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - e) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.
2. The Village of Windsor Board **Approves Board Resolution 2016-58** for David Grinde located 4215 Snowy Owl Court, DeForest, WI 53532, subject to the following conditions:
- a) The Conditional Use approval is limited to Taxkey Number 091009287151, approximately 1.25 acres.
 - b) The Conditional Use approval allows for the continuation of a single family residence.
 - c) Prior to the effective date of the Conditional Use Permit, the Petitioner shall provide to the Village of Windsor documentation that the existing single family residence operates on its own sanitary septic system and well located on the subject property.
 - d) Any change, addition, modification, alteration and/or amendment of any aspect of this Conditional Use approval, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
 - e) The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use Permit, 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.

COMPREHENSIVE PLAN CONSISTENCY:

The Conditional Use requests for David Grinde are consistent with the proposed Village of Windsor Comprehensive Plan: 2035.

ORDINANCE CONSISTENCY:

The Conditional Use requests for David Grinde are consistent with the Village of Windsor Zoning Ordinance (Chapter 52).

EXHIBIT:

- A. Petitioner Application

David Grinde

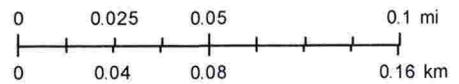


April 13, 2016

Parcel Number

 Tax Parcels

1:3,009



Planning
Geophysical
Water Resources
Recreation
ParcelText

Contact Information

Applicant:

Name: David Grinde

Address: 4215 Snowy Owl Ct

City, State, Zip: DeForest, WI 53532

Phone Number(s): (608) 846-5727

Cell Phone(s): (608) 770-5708

Email Address(es): TopNotchWelding@Aoh.com

Surveyor:

Name: Daniel A. Paulson Paulson & Associates, LLC

Address: 136 W. Holum St

City, State, Zip: DeForest, WI 53532

Phone Number(s): (608) 846-2523

Cell Phone(s): (608) 846-220-2056

Email Address(es): Dan@PaulsonLLC.net

Attorney:

Name: N/A

Address: _____

City, State, Zip: _____

Phone Number(s): _____

Cell Phone(s): _____

Email Address(es): _____

Owner:

Name: SAME AS Applicant

Address: _____

City, State, Zip: _____

Phone Number(s): _____

Cell Phone(s): _____

Email Address(es): _____

Engineer:

Name: N/A

Address: _____

City, State, Zip: _____

Phone Number(s): _____

Cell Phone(s): _____

Email Address(es): _____

VILLAGE OF WINDSOR

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

The Village of Windsor Plan Commission typically meets on the Third Tuesday of every month at 6:00 p.m., and the Windsor Village Board typically reviews planning issues on the third Thursday of every month at 5:00 p.m. (or as otherwise scheduled) at the Village 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:

<input type="checkbox"/> Rezone	<input type="checkbox"/> Concept Plan	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Variance	<input type="checkbox"/> Certified Survey Map	

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

Dane County
 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:

4215, 4213 & 4203 SNOWY OWL CT

Parcel Number(s)

0910-092-8715-1, 0910-092-8650-2 & 0910-092-8690-0

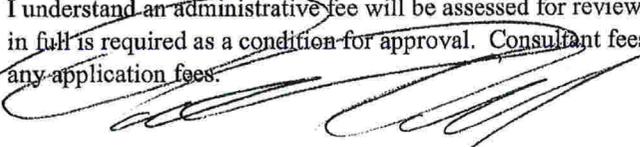
Current Zoning Classification:

C-1

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

I have reviewed and understand the Village 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 Village's recommendations and decisions.

I understand an administrative fee will be assessed for review of my project by the Village 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.


 _____ Date 3-25-16

Applicant Signature

Date

Village of Windsor Conditional Use Permit Review

Item		Applicant
1	Legal Description – of the land for which the permit is requested. Include the size of the CUP area in acres or square feet.	
2	Tax parcel Number(s) – of the lot(s) or parcel(s) for the CUP.	
3	Site Plan – drawn to scale large enough to show detail; including all existing and proposed buildings and outdoor uses labeled with dimensions and setbacks and showing provisions for water and sewer; location and width of all driveway entrances onto public or private roadways and all interior roads or driveways and indicating traffic patterns; parking lot layout; zoning district boundaries in the immediate area; and more complicated CUP's shall show additional detail such as contours, drainage, screening, fences, landscaping, lighting, signs, refuse dumpsters, possible future expansion areas, etc.	
4	<p>Written Statement – Including existing uses of the property, existing uses on all neighboring properties, proposed uses of the CUP area indicating why the CUP is appropriate, and a time schedule for development.</p> <p style="margin-left: 40px;">a. Existing Zoning _____</p> <p style="margin-left: 40px;">b. Proposed Zoning (if a rezone is required) _____</p> <p style="margin-left: 40px;">c. Type of activity proposed _____</p> <p style="margin-left: 40px;">_____</p> <p style="margin-left: 40px;">_____</p> <p style="margin-left: 40px;">d. Hours of Operation _____</p> <p style="margin-left: 40px;">e. Number of Employees _____</p> <p style="margin-left: 40px;">f. Anticipated Customers _____</p> <p style="margin-left: 40px;">g. Outside Storage (describe) _____</p> <p style="margin-left: 40px;">h. Outdoor Activities (describe) _____</p> <p style="margin-left: 40px;">i. Outdoor Lighting (describe) _____</p> <p style="margin-left: 40px;">j. Outside Loudspeakers? _____</p> <p style="margin-left: 40px;">k. Proposed Signs (describe) _____</p> <p style="margin-left: 40px;">l. Trash Removal (describe) _____</p>	
5	<p>Provide answers to the following 6 questions completely. The proposed land use must meet all 6 conditions in order to be approved.</p> <p>#1 The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.</p> <p>#2 The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.</p> <p>#3 The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.</p> <p>#4 That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.</p> <p>#5 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.</p> <p>#6 That the conditional use shall conform to all applicable regulations of the district in which it is located.</p>	

SEE Attachment

**PREDEVELOPMENT AGREEMENT FOR COSTS SUSTAINED
BY THE TOWN OF WINDSOR, DANE COUNTY WISCONSIN, IN
REVIEWING, CONSIDERING AND/OR ADMINISTERING
LAND DEVELOPMENT RELATED ACTIVITIES**

THIS AGREEMENT is entered into between the Town of Windsor, Wisconsin, a Municipal Government, hereinafter called the (Town), and DAVID GRINDE (DEVELOPER) of the following described lands within the Town of Windsor:

4215, 4213 & 4203 SNOWY OWL CT

WHEREAS, the person(s) above-named wish to engage in the following land development related activities

C.U.P.'s

within the TOWN approval of this land development related activity; which may include but is not limited to land divisions, zoning map amendments, conditional use permits, variances, annexations, site plan reviews, landscape plan reviews, planned unit developments, comprehensive plan amendments, official map amendments, and urban service area amendments, in accordance with applicable federal and state laws and TOWN ordinances; and

WHEREAS, the TOWN agrees to review the land development related activity, as defined above, of the DEVELOPER in accordance with law and desires to have such review made without unreasonable expense to the TOWN taxpayers:

NOW, THEREFORE, the parties agree as follows:

PART A. PAYMENT FOR REVIEW SERVICES

The DEVELOPER agrees to pay all review, processing, approving and/or administration costs incurred by the TOWN including without limitation because of enumeration, costs of publications and special meetings, legal, engineering, planning and design service costs incurred by the TOWN in connection with this review, processing, approving and/or administration.

The **DEVELOPER** understands the legal, engineering, planning or design consultants retained by the **TOWN** are acting exclusively on behalf of the **TOWN** and not the **DEVELOPER**.

PART B. GUARANTEE OF PAYMENT

If the **TOWN**, in its sole discretion, determines that the costs the **TOWN** may incur in connection with the land development related activity are significant, then the **TOWN** shall require the **DEVELOPER** to guarantee reimbursement of the **TOWN** for costs described in **PART A** by depositing with the **TOWN** Clerk/Treasurer a (cash deposit) (cashier's check) (irrevocable letter of credit) in the name of the **TOWN** in the principal sum of

\$ _____, which includes the sum of
\$ _____ to cover the cost of unanticipated contingencies.

If guarantee is made by cash deposit, the **TOWN** agrees to deposit the guarantee payment in an interest bearing account and to make payments from such account for the above described services.

If at any time moneys in the account, including earned interest, or the principal amount of the irrevocable letter of credit are insufficient to pay expenses incurred by the **TOWN** for review, processing, approving and/or administration costs, **DEVELOPER** agrees to deposit required additional amounts within fifteen (15) days of written demand by the **TOWN** Clerk/Treasurer, the **TOWN** shall not be required to take any further action on such activity until the amount in arrears plus interest at the rate of 18% annually are paid in full.

PART C: TERMINATION OF GUARANTEE

Sixty (60) days after completion of review, processing, approving or administering, evidenced by resolution or ordinance of the **TOWN** Board approving, conditionally approving or rejecting the land development related activity, the **TOWN** agrees to refund the **DEVELOPER** any moneys remaining in the deposit account, including any interest earned thereon; or if guarantee is made in the form of an irrevocable letter of credit, to give a written release, sufficient to terminate the guarantees of such letter less, in either case, any amounts owing for administrative costs described in **PART A**.

PART D. EFFECT OF APPROVAL

Subject to the applicable regulations of any governmental entity with jurisdiction and/or the ordinances, rules and regulations of the **TOWN**, the approval of the land development related activity shall entitle the **DEVELOPER** to final approval of land development related activity only if all conditions of approval have been met, and only if all required guarantee deposits, and all amounts payable under this Agreement have been paid.

PART E. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of the Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of any other section, subsection, sentence, clause, phrase, or portion thereof.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT on the 25th day of March, 20 16

TOWN OF WINDSOR

Chairperson

Clerk/Treasurer

Attested By:

DEVELOPER

(NAME OF DEVELOPER)

DAVID D. GAFFE



By: _____

Its: _____

Attested By:

Attachment to Village of Windsor CUP Application

1) Legal Description	2) Parcel ID No.	4) Use:
Lot 1, CSM No. 7800	0910-092-8715-1	This parcel includes an existing residence and is zoned C-1. No business is operated at this location at this time, other than business administration for Dave Grinde's business, Top Notch Welding. There are no set business hours or customers at this location. No exterior lighting (other than typical residential), exterior storage, signage, commercial activities or outside loudspeakers. This parcel requires a CUP in order to allow for the continued residential use. Mr. Grinde intends to sell the property in the future and wishes the CUP to continue with the future owner.
Lot 1, CSM No, 10512	0910-092-8650-0	This parcel is the location of Mr. Grinde's shop for his business, Top Notch Welding. This property is zoned C-1 and is used as a welding shop preparing materials and product for "offsite" installations on active construction sites. Material delivers and occasional customers visit the shop during normal business hours between 6:00 am and 9:00 pm. At this time the business is limited to 2 employees. Limited outside storage and minimal outside welding operations are conducted on the property and minimal outside lighting is used or anticipated, no outside loudspeakers are required for this business. An existing sign is located on the west end of the existing building and trash removal is picked up as needed. A CUP is being requested in order to build a new residence on this property to replace the above residence on Lot 1, CSM No. 7800.
Lot 3, CSM No. 10512	0910-092-8690-0	This property is zoned C-1 and contains 2 existing buildings. Both buildings are rental storage properties and have no exterior signage, loudspeakers, outside lighting (other than security lighting), outside storage or regular employees at this time. The easterly building includes a caretakers apartment and a CUP is required for this to continue as a legal use. Trash removal is provided by private pickup as needed.

3) Site Plans see included:

CSM No 7800 for House Parcel

Site Plan for existing Welding Shop and Proposed House Parcel

Foundation Location Survey for the two existing buildings (the caretakers apartment is located in the east building)

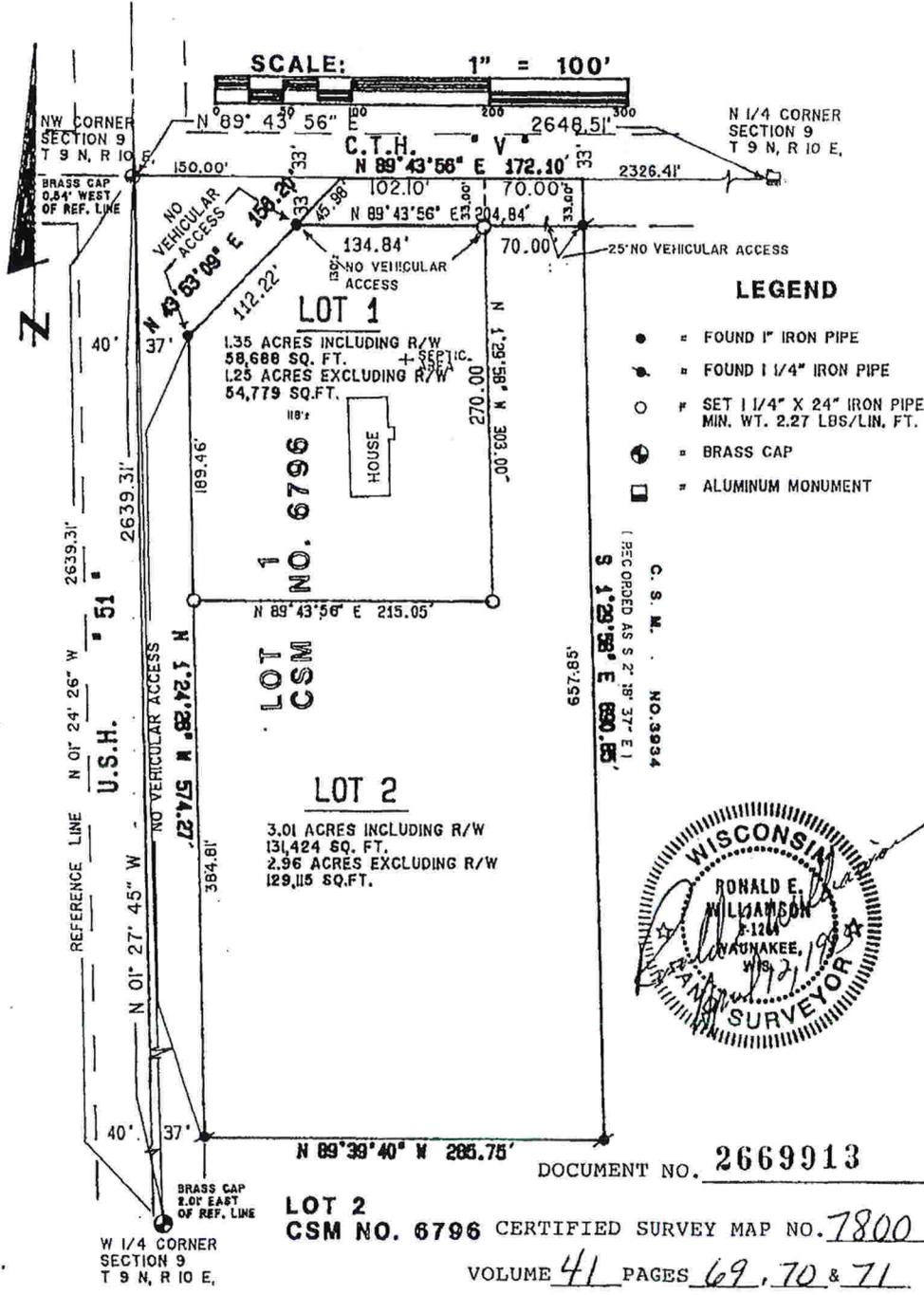
5)

#1 - #3) The parcels included in this request and the surrounding area are Zoned C-1 therefore the expected uses will not be detrimental to or endanger the public health, safety, comfort or general welfare of the public.

#4 - #5) The properties have private sewer and water utilities; public road access is shared via a joint driveway easement that fronts onto Snowy Owl Court (formerly CTH "V"). Drainage issues are not anticipated with the current or proposed uses of the property.

#6) The existing or anticipated future uses of the properties shall comply to the regulations of the C-1 zoning districts.

CERTIFIED SURVEY MAP
WILLIAMSON SURVEYING COMPANY
 104A WEST MAIN STREET
 WAUNAKEE WISCONSIN 53597



3/1

DANE COUNTY CERTIFIED SURVEY MAP NO. 10512

BEING LOT 2, C.S.M. NO. 7800, LOCATED IN THE NW 1/4 OF THE NW 1/4,
OF SECTION 9, T9N, R10E, TOWN OF WINDSOR, DANE COUNTY, WISCONSIN

3537085

NORTHWEST CORNER
SECTION 9, T9N, R10E
TOWN OF WINDSOR

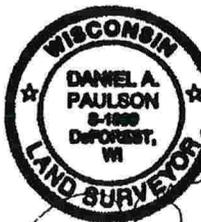
OWNERS
DAVE & SANDY GRINDE
4215 CTH V,
DEFOREST, WI 53532

SURVEYOR
DANIEL A. PAULSON
136 W. HOLUM STREET
DEFOREST, WI 53532

WisDOT NO. 13-051-0137-02

NOTE:

- 1) REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.
- 2) NO VEHICULAR ACCESS TO USH 51 AS PER WISDOT PROJ. NO. CA05-1(2).
- 3) CAUTION HIGHWAY SETBACK RESTRICTIONS PROHIBITS IMPROVEMENTS. (SEE SHEET 2 OF 3)



WEST 1/4 CORNER
SECTION 9, T9N, R10E
TOWN OF WINDSOR

LEGEND

- ⊕ ALUMINUM MONUMENT FOUND
- 1 1/4" IRON PIPE FOUND (OR AS NOTED)
- 3/4" x 24" IRON RE-BAR (SET)
(WGT. 1.50 LBS/LF)
- ▲ SEPTIC TANK/VENT
- () RECORDED AS INFORMATION
- XXXXXXXXXXXXXXXXXXXX NO VEHICULAR ACCESS AS PER
WISDOT PROJ. NO. CA05-1(2)



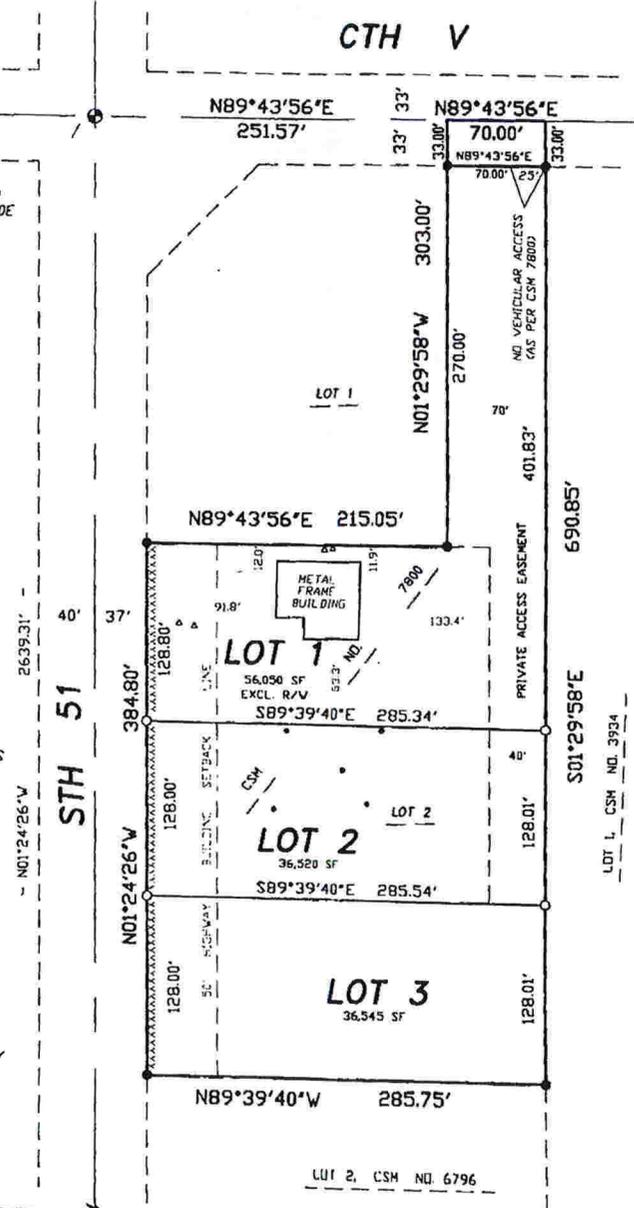
SCALE

SCALE 1" = 100'



BASIS OF BEARINGS

THE EAST LINE OF LOT 2
CSM NO. 7800 IS RECORDED TO
BEAR S01°29'58"E.



SITE PLAN

BEING LOT 1, C.S.M. NO. 10512, LOCATED IN THE NW 1/4 OF THE NW 1/4, SECTION 09, T9N, R10E, TOWN OF WINDSOR, DANE COUNTY, WISCONSIN

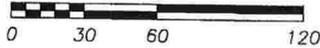


BASIS OF BEARINGS

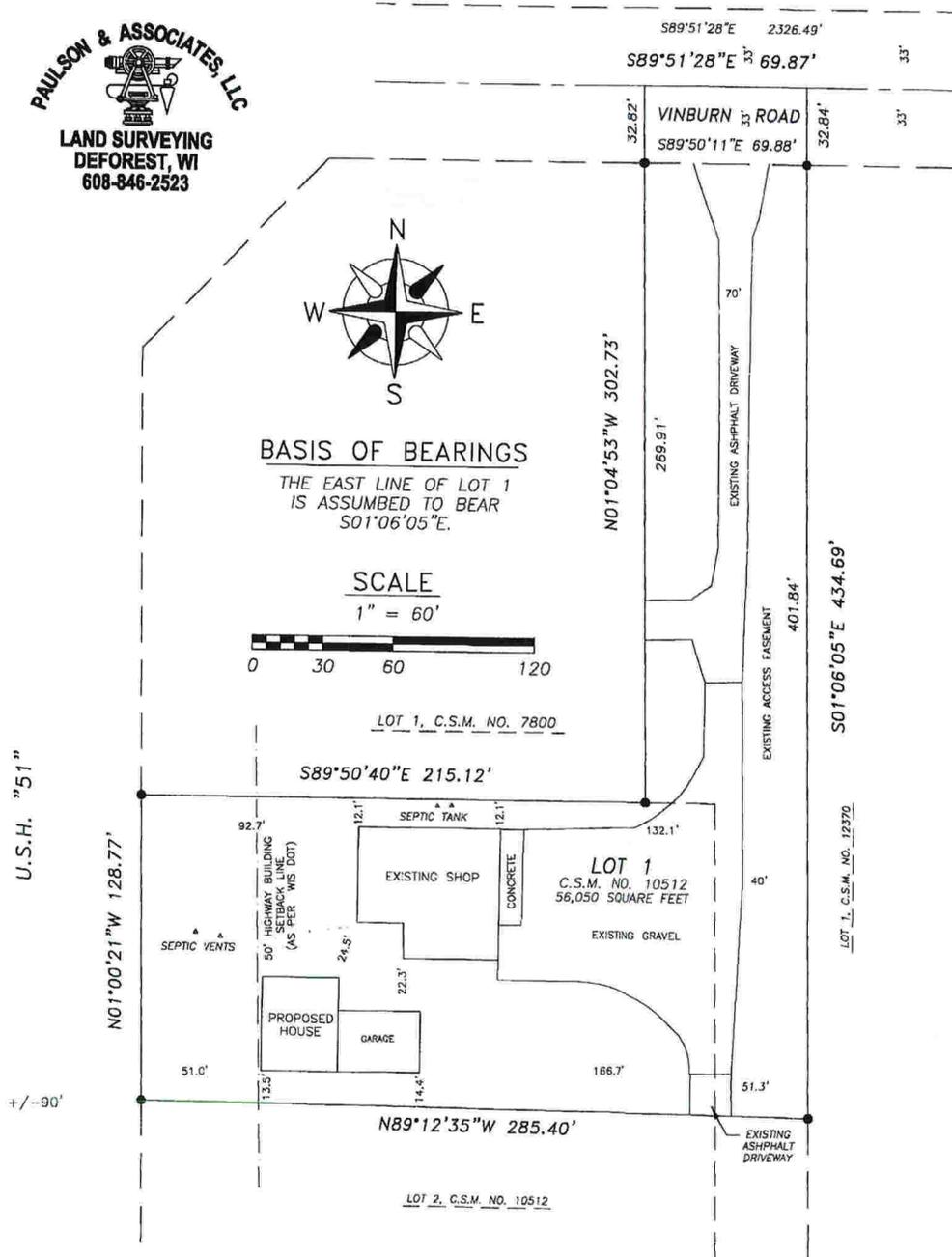
THE EAST LINE OF LOT 1 IS ASSUMED TO BEAR S01°06'05"E.

SCALE

1" = 60'



LOT 1, C.S.M. NO. 7800



LEGEND

- 3/4" RE-BAR (FOUND) (UNLESS NOTED)
- SET BACK LINE

SURVEYOR
 PAULSON & ASSOCIATES, LLC
 Daniel A. Paulson
 136 W. Holum Street
 DeForest, WI 53532

CLIENT/OWNER
 David D. & Sandra L. Grinde
 4213 C.T.H. "V"
 DeForest, WI 53532

FOUNDATION LOCATION SURVEY

BEING LOTS 2 & 3, C.S.M. NO. 10512, LOCATED IN THE NW 1/4 OF THE NW 1/4 SECTION 9, T9N, R10E, TOWN OF WINDSOR, DANE COUNTY, WISCONSIN

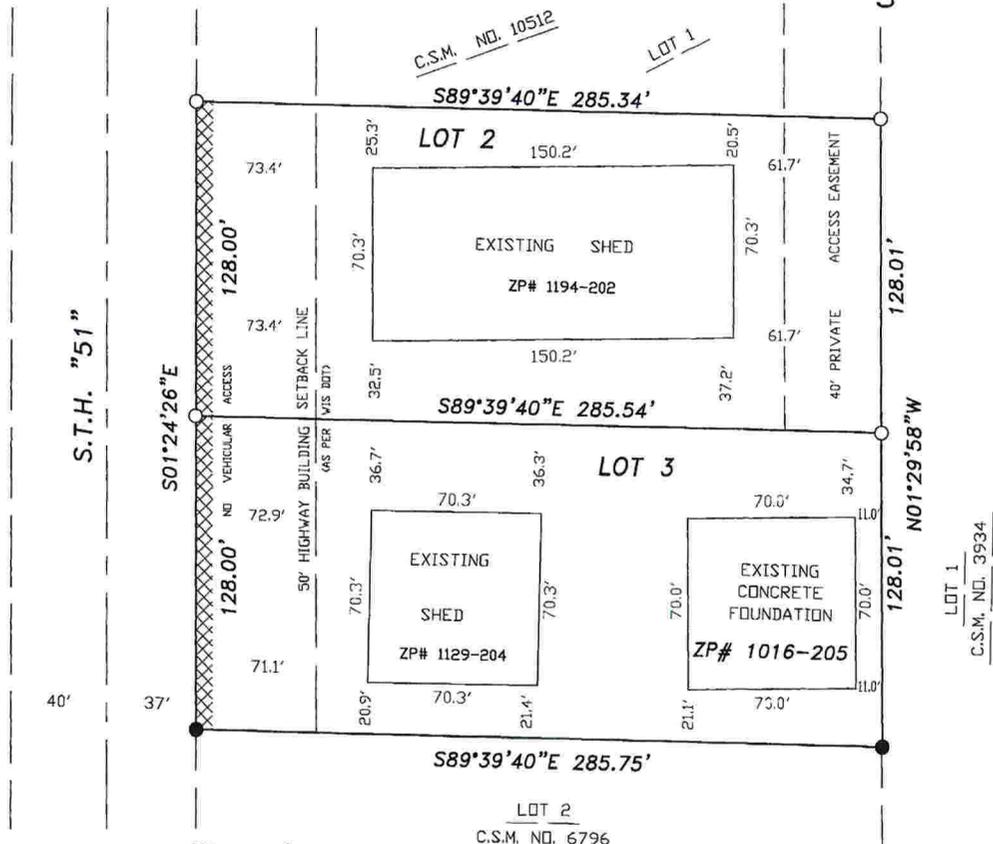
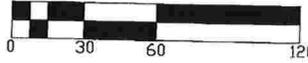
ZP# 1016-205

BASIS OF BEARING

THE NORTH OF LOT 2,
IS RECORDED AS BEARING
N89°39'40"W

SCALE

1" = 60'



SURVEYOR'S CERTIFICATE

LOT 2
C.S.M. NO. 6796

I, Daniel A. Paulson, Registered Land Surveyor do hereby certify that, by the direction of David Grinde, I have surveyed, and mapped Lots 2 & 3, C.S.M. NO. 10512; located in the NW 1/4 of the NW 1/4, of Section 9, T9N, R10E, Town of Windsor, Dane County, Wisconsin and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, two existing sheds and an existing concrete foundation.

DANIEL A. PAULSON, Registered Land Surveyor
No. S-1699

Date _____

SURVEYOR

PAULSON & ASSOCIATES, LLC
136 WEST HOLLUM ST.
DEFOREST, WI 53532

LEGEND

- 3/4" RE-BAR (FOUND)
- 1-1/4" IP (FOUND)
- BUILDING SET BACKS

OWNER/BUILDER

DAVID GRINDE
4215 C.T.H. "V"
DEFOREST, WI 53532

THIS INSTRUMENT DRAFTED BY
TIMOTHY W. PAULSON

PAGE 1 OF 1

FILE NO. 02-70