

**VILLAGE OF WINDSOR
BOARD RESOLUTION 2018-110
APPROVAL OF A CERTIFIED SURVEY MAP
FOR 4535 & 4537 SMITH ROAD
IN THE VILLAGE OF WINDSOR, DANE COUNTY**

WHEREAS, Teresa Kelso ("Petitioner") being the owner of 4537 Smith Road, has requested approval of (1) a certified survey map that will adjust the common property boundary line between 4535 and 4537 Smith Road; and (2) a rezone from CR, Countryside Residential District to A-2(2), Agriculture Zoning District for 4535 Smith Road; and

WHEREAS, the Petitioner obtained Conditional Approval of the Certified Survey Map and Rezone request in Plan Commission Resolution 2018-22; and

WHEREAS, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner's request and prepared a Staff Report dated November 29, 2018 (the "Staff Report") recommending approval, subject to certain conditions specified in the Staff Review; and

WHEREAS, following review of information presented at the Plan Commission meeting, the Public Hearing, the Village Board Meeting and the Staff Report, the Village Board approves the Certified Survey Map and Rezone request, subject to the conditions specified in the Staff Report and as set forth herein.

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

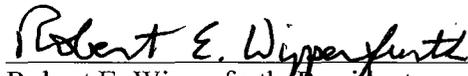
The Village of Windsor Board **Approves** the Certified Survey Map for Teresa Kelso located at 4535 & 4537 Smith Road, DeForest, WI 53532, subject to the following conditions:

1. The Petitioner shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
2. The Petitioner shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's office.
3. The Village of Windsor shall waive requirements for payment of Fees in Lieu of Parkland and Fees for Initial Improvements of Parkland. The proposed Certified Survey Map is adjusting the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties.
4. The Petitioner shall prepare a Joint Driveway Easement and Maintenance Agreement and Joint Well Agreement, in a form approved by the Village Attorney and thereafter promptly recorded with the Dane County Register of Deed's office.
5. 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 Certified Survey Map and Rezone request, 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.

6. The Village of Windsor Board's approval of the Certified Survey Map and Rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) days expiration up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary.

The above and foregoing Resolution was duly adopted at a meeting of the Windsor Village Board held on December 06, 2018, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR



Robert E. Wipperfurth, President

Attested by:



Christine Capstran, Village Clerk

INCORPORATED BY REFERENCE:
Staff Report



To: Village of Windsor Board
Cc: Robert Wipperfurth, Tina Butteris, Kevin Richardson, William Cole
From: Amy Anderson Schweppe, Jamie Rybarczyk
Rpt Date: November 29, 2018
Mtg Date: December 6, 2018
Submtl Date: September 25, 2018
Aprvl Date: December 24, 2018
Re: Kelso – Certified Survey Map & Rezone

BACKGROUND:

Petitioner: Teresa Kelso
Property Owners: Timothy & Teresa Kelso and Alan & Julie Johnson
Location / Address: 4537 Smith Road, DeForest, WI 53532 & 4535 Smith Road, DeForest, WI 53532
Taxkey Numbers: 196/0910-071-8200-8 & 196/0910-071-8180-3
Area: 4.29 Acres
Existing Zoning: A-2(1), Agriculture District & CR, Countryside Residential District
Proposed Zoning: A-2(1), Agriculture District & A-2(2), Agriculture District
Future Land Use: Agriculture Area

REQUEST:

The Petitioner is requesting approval of a Certified Survey Map to adjust the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties.

See Exhibit A for additional information regarding the Petitioner's request.

OVERVIEW:

Each property is accessed from Smith Road by a recorded 33-foot ingress and egress easement. The proposed Certified Survey Map accomplishes the following:

- Vacation of a portion of an existing ingress and egress easement. This portion is no longer needed, the existing private drive was constructed in a different location.
- Creation of a portion of a new ingress and egress easement. This portion illustrates the location of the existing private drive.
- Reconfiguration of the property line creating conforming structures and improvements.

VILLAGE STAFF COMMENTS:

The Planning, Zoning and Development Department provides the Village of Windsor Board with the following **planning, zoning and development** comment(s):

1. *Village of Windsor Code of Ordinances: Chapter 38 Planning and Development*

Each lot has been deemed legal non-conforming by Village Staff, as each lot predates the Village of Windsor Code of Ordinances. The proposed Certified Survey Map adjusts the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties. Village Staff has determined that the Certified Survey Map is consistent with the intent of Chapter 38 *Planning and Development* of the Windsor Code of Ordinances.

2. *Village of Windsor Code of Ordinances: Chapter 52 Zoning Districts*

The Rezone of Lot 1 from CR, Countryside Residential to A-2(2), Agriculture District is consistent with Chapter 52 *Zoning Districts* of the Windsor Code of Ordinances.

Lot 2 will retain the A-2(1), Agriculture District zoning designation.

3. *Village of Windsor Comprehensive Plan: 2035*

The Certified Survey Map and Rezone are consistent with the goals, objectives and policies of the Village of Windsor Comprehensive Plan: 2035.

The Engineering Department provides the Village of Windsor Board with the following **engineering** comment(s):

1. The Village Engineer has no objections to the Certified Survey Map and Rezone.

The Surveying Department provides the Village of Windsor Board with the following **surveying** comment(s):

1. The Surveying Department has no objections to the Certified Survey Map and Rezone.

The DeForest Windsor Fire & EMS provides the Village of Windsor Board with the following **fire and emergency services** comment(s):

1. The DeForest Windsor Fire & EMS has no objections to the Certified Survey Map and Rezone.

VILLAGE POLICY COMMENTS/CONCERNS:

The Village Staff provides the Village of Windsor Board with the following policy comments/concerns that require further discussion and action:

1. Waive the Fees in Lieu of Parkland and Fees for Initial Improvements of Parkland. The proposed Certified Survey Map is adjusting the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties.
2. Require the Petitioner to prepare a Joint Driveway and Easement Maintenance Agreement.
3. Require the Petitioner to prepare a Joint Well Agreement.

VILLAGE PLAN COMMISSION RECOMMENDATION:

On November 8, 2018 the Village Plan Commission recommended to the Village of Windsor Board Approval of the Certified Survey Map and Rezone request for Teresa Kelso located at 4537 Smith Road and 4535 Smith Road by Plan Commission Resolution 2018-22.

Exhibit B provides the unofficial meeting minutes for the Village Plan Commission regarding the Petitioner's request.

VILLAGE STAFF RECOMMENDATION:

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

The Village of Windsor Board **Approves** the Certified Survey Map and Rezone request for Teresa Kelso located at 4535 & 4537 Smith Road subject to the following conditions:

1. Rezone
 - a. Lot 1 of the Certified Survey Map shall be rezoned from CR, Countryside Residential District to A-2(2), Agriculture District.
 - b. Lot 2 shall remain A-2(1), Agriculture District.
 - c. The Rezone shall have a delayed effective date, and shall take effect at such time as the accompanying Certified Survey Map has been recorded in the Dane County Register of Deed's office.
2. Certified Survey Map
 - a. The Petitioner shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
 - b. The Petitioner shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's office.
 - c. The Village of Windsor shall waive requirements for payment of Fees in Lieu of Parkland and Fees for Initial Improvements of Parkland. The proposed Certified Survey Map is adjusting the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties.
 - d. The Petitioner shall prepare a Joint Driveway Easement and Maintenance Agreement and Joint Well Agreement, in a form approved by the Village Attorney and thereafter promptly recorded with the Dane County Register of Deed's office.
3. 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 Certified Survey Map and Rezone request, 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.
4. The Village of Windsor Board's approval of the Certified Survey Map and Rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) days expiration up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary.

LOCATION MAP:

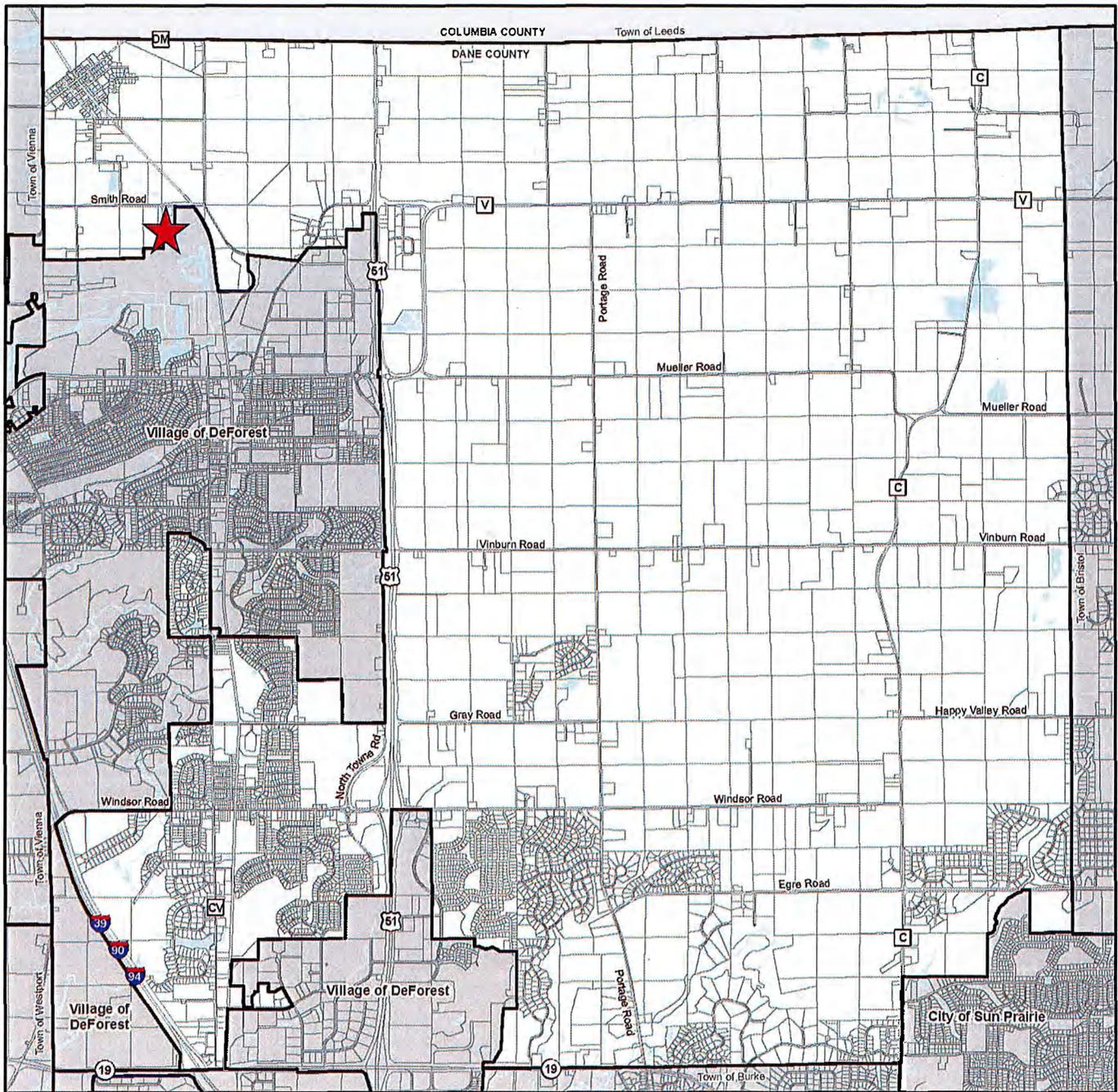


EXHIBIT:

- A. Petitioner Application
- B. Village Plan Commission Meeting Minutes (Unofficial) of November 8, 2018

Contact Information

Applicant:

Name: Teresa Kelso
Address: 4537 Smith Road
City, State, Zip: DeForest WI 53532
Phone Number(s):
Cell Phone(s): 608-228-3503
Email Address(es): TKelso@DrugAndAlcohol24-7.com

Surveyor:

Name: Paulson & Associates, LLC David A. Paulson
Address: 136 W. Holum St
City, State, Zip: DeForest WI 53532
Phone Number(s): 608-846-2523
Cell Phone(s):
Email Address(es): Dan@PaulsonLLC.net

Attorney:

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

2nd
Owner:

Name: Alan Johnson
Address: 4535 Smith Road
City, State, Zip: DeForest WI 53532
Phone Number(s): 608-846-2875
Cell Phone(s):
Email Address(es):

Engineer:

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

Village of Windsor

Certified Survey Map Review

Certified Survey Map Application Form

The Village of Windsor Plan Commission typically meets on the third Tuesday of every month at 6:00 p.m., and the Village Board typically reviews planning issues on the third Thursday of every month at 5:00 p.m. (or as otherwise scheduled) at the Windsor Municipal Building, 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 Village and accompanied by the required fee and review escrow, 2) include 15 copies of the certified survey map drawn per the requirements of the Village Subdivision Ordinance, Chapter 38 - Article IV - Division 6; and 3) include a digital pdf copy of all submitted drawings and supplementary data.

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

Process for Review and Approval

- 1) Consultation meeting with Village Staff (Optional)
- 2) Submittal (at least 30 days prior to next plan commission meeting) of application form, application fee, review escrow, and CSM with supplementary materials as described above
- 3) Staff review of application materials for compliance with requirements
- 4) Plan Commission review, public hearing, and recommendation
- 5) Village 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 Village Board and any other approving agencies, and provide a copy of executed documents to Village Clerk

Technical Requirements of CSM

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 | |
| 2 Joint Maintenance Agreements | |
| 3 All certificates required by Wis. Stat. 236.34 | |

Village of Windsor
Zoning Review, Special Use Permit, Conditional Use Permit and/or Variance

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

Select Request Rezone Special Use Permit
 Conditional Use Permit Variance

Brief Description of Project: Lot line Adjustment

Project Location: NE 1/4 - NE 1/4 Sec 7-9-10 off of Smith Road

Parcel Number(s): 0710-071-8200-8 & 0910-071-8180-3

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

- 1) One consultation meeting with Village Staff (Engineer, Legal Counsel, Planner and Planning and Development Coordinator at no charge.) Optional
- 2) Submittal of application form, fees/review escrow, 15 copies of the Zoning Map (if applicable) and supplementary materials as described above (at least 30 days prior to next plan commission meeting) including a digital pdf copy of all submitted drawings and supplementary data.
- 3) Staff review of application materials for compliance with requirements.
- 4) Plan Commission review and comment.
- 5) Village Board Review

| 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: _____

Village of Windsor
Rezone Procedures and Requirements

| Item | | Applicant |
|------|---|-----------|
| 1 | Map of the Subject Property – showing all lands for which zoning is proposed, and all other lands within 500' of the boundaries of the subject property, with the names and addresses of the owners of all lands on said map as the same appear on the current tax records of the Village of Windsor. Said map shall clearly indicate the current zoning of the subject property and its environs, and jurisdiction(s) which maintain control. Said map and all its parts and attachments shall be submitted in a form that is reproducible and shall be at a scale of not less than 1" = 800'. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided. | |
| 2 | Map of Generalized Location of the Subject Property – in relation to Village as a whole. | |
| 3 | Written Statement – including existing uses of the property, existing uses on all neighboring properties, proposed uses of the rezoned area indicating why the rezone is appropriate, and a time schedule for development. | |

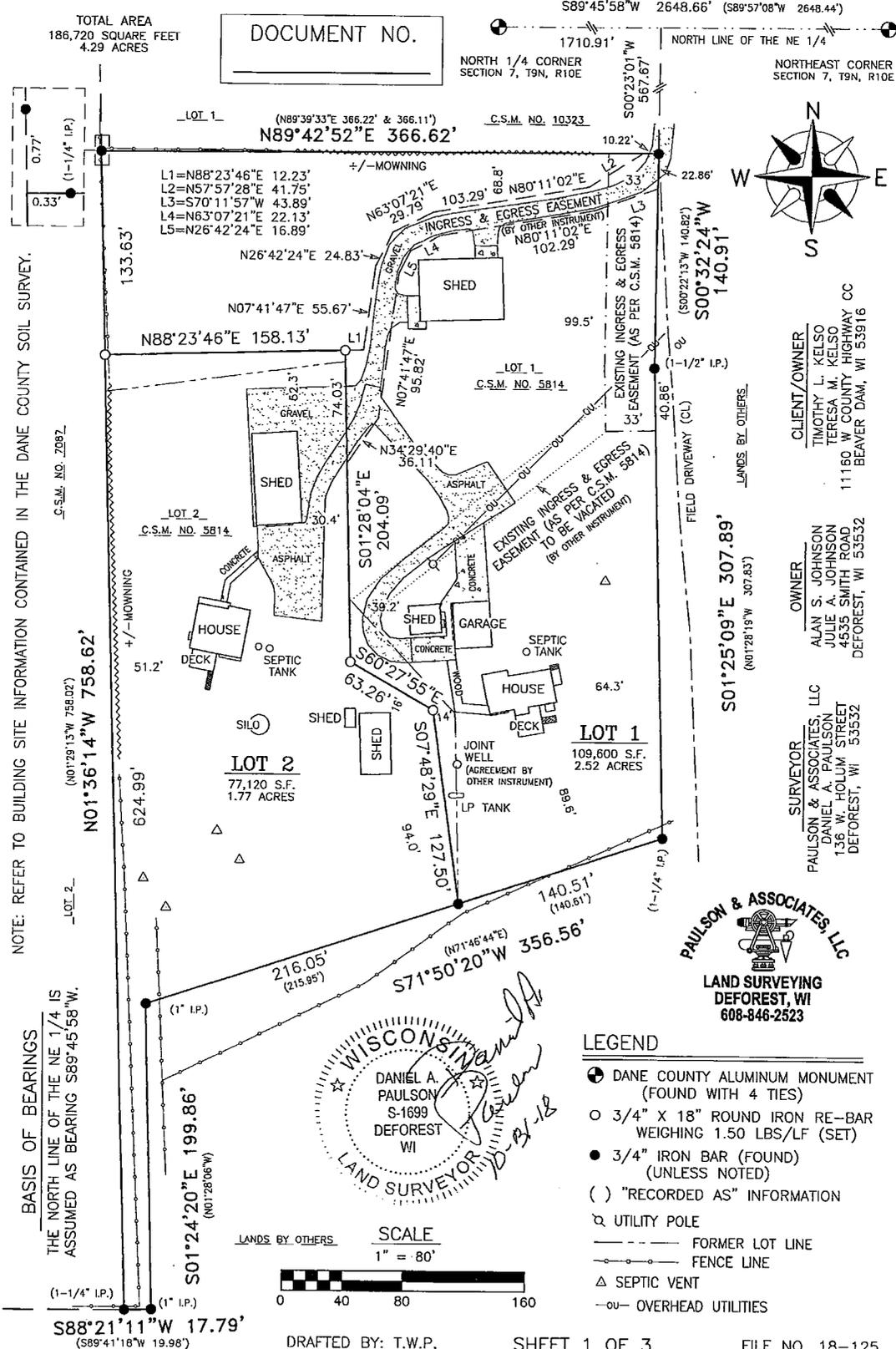
| | | |
|----|--|--|
| 4 | Final Street Plan | |
| 5 | Final Stormwater Management Plan | |
| 6 | Final Erosion and Sedimentation Control Plan | |
| 7 | Soil and Subsurface Investigation Report | |
| 5 | Traffic Control Plan | |
| 8 | Water and Sewer Plans | |
| 9 | Opinion of Probable Cost | |
| 10 | Additional Plans or Information | |
| 11 | Owner's and Mortgagee's certificates for Street Dedication | |

| 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: _____

DANE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOTS 1 & 2, C.S.M. NO. 5814; LOCATED IN THE NE 1/4 OF THE NE 1/4, SECTION 7, T.09N., R.10E., VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN



DANE COUNTY CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lots 1 & 2, C.S.M. No. 5814; Located in the NE ¼ of the NE ¼ of Section 7,
Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin

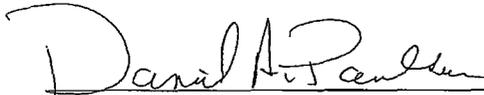
SURVEYOR'S CERTIFICATE

I, Daniel A Paulson, Professional Land Surveyor **DO HEREBY CERTIFY** that by the direction of Teresa M. Kelso, as owner, I have surveyed, monumented and mapped Lots 1 & 2, C.S.M. No. 5814; located in the NE ¼ of the NE ¼, Section 7, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin, Containing 186,720 Square Feet (4.29 acres).

Subject to all covenants, restrictions and easements as per C.S.M. No. 5814.

Subject to all recorded and unrecorded easements.

I do hereby certify that to the best of my knowledge and belief this survey is a correct representation of the boundaries of land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Village of Windsor Code of Ordinances in surveying and mapping the same.


Daniel A. Paulson PLS-1699

10-31-18
Date:



VILLAGE OF WINDSOR APPROVAL CERTIFICATE

Approved for recording by the Windsor Village Board this _____ day of _____, 2018.

Authorized Representative
Village of Windsor Board

CERTIFICATE OF THE DANE COUNTY REGISTER OF DEEDS

Received for recording this _____ day of _____, 2017, at _____ o'clock __. M. and recorded in Volume _____ of Certified Survey Maps of Dane County, Pages _____

DOCUMENT NO. _____

Dane County Register of Deeds

DANE COUNTY CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lots 1 & 2, C.S.M. No. 5814; Located in the NE ¼ of the NE ¼ of Section 7,
Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin

OWNERS CERTIFICATE

We, Timothy L. Kelso, Teresa M. Kelso, Alan S. Johnson and Julie A. Johnson, as owners, hereby certify that we caused the land described to be surveyed, divided and mapped as represented on the map. We do further certify that this Certify Survey map is required to be submitted to the Village of Windsor for approval.

Timothy L. Kelso Date

Teresa M. Kelso Date

Alan S. Johnson Date

Julie A. Johnson Date

STATE OF WISCONSIN)
_____ COUNTY))SS

Personally came before me this _____ day of _____,
2018, the above Timothy L. Kelso & Teresa M. Kelso to me known to be the
person who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
_____ COUNTY))SS

Personally came before me this _____ day of _____, 2018, the above Alan S.
Johnson & Julie A. Johnson to me known to be the person who executed the foregoing instrument and
acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____

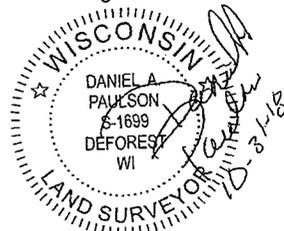
CONSENT OF MORTGAGEE

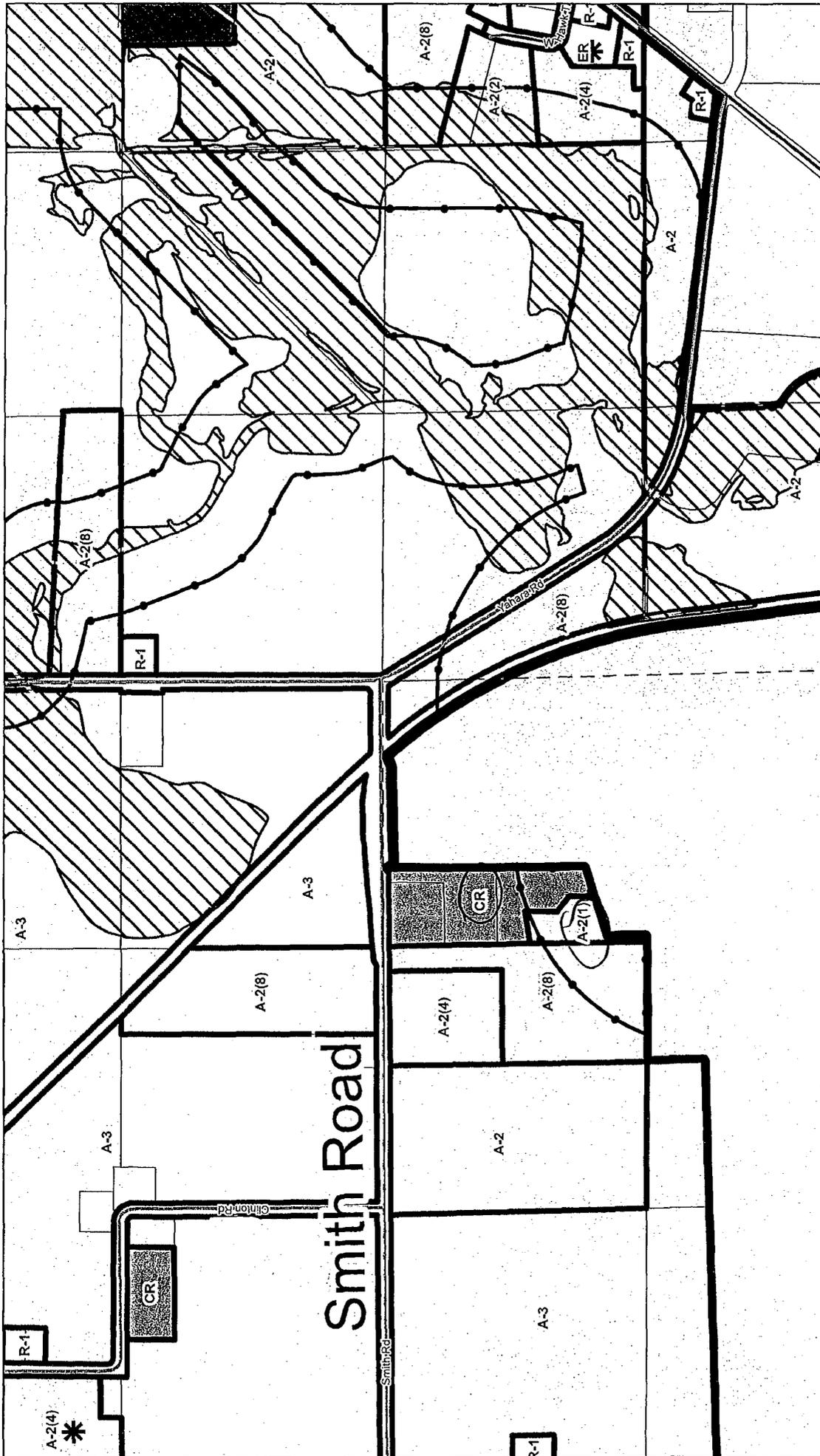
I, _____, as mortgagee
of the above described land, do hereby consent to the surveying, dividing,
dedicating and mapping of the land described on this map.
Dated this _____ day of _____, 2018.

STATE OF WISCONSIN)
_____ COUNTY))SS

Personally came before me this _____ day of _____, 2018, the above _____
to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____





VILLAGE OF WINDSOR
PLAN COMMISSION MEETING

Minutes

November 8, 2018

1. CALL MEETING TO ORDER AND ROLL CALL.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Commissioners present: Dave Gaustad, Jeff Heisig, Kay Hoffman, Tim Lange, and Bob Wipperfurth. Brad Mueller had an excused absence. Bill LeGore arrived at 5:05 p.m.

Others present: Director of Planning and Development Amy Anderson Schweppe, Village Deputy Administrator/Director of Economic Development Jamie Rybarczyk, and Village Attorney Bill Cole.

2. RECITATION OF THE PLEDGE OF ALLEGIANCE.

The flag pledge was led by Commissioner Gaustad.

3. ANNOUNCEMENTS.

None.

4. APPEARANCES BEFORE THE PLAN COMMISSION.

None.

5. MINUTES FROM OCTOBER 11, 2018.

5.a. Minutes.

A motion was made by Commissioner Heisig, seconded by Commissioner Lange, to approve the Minutes of October 11, 2018, as presented. Motion carried with a 5-0 vote.

6. PUBLIC HEARING.

Chairperson Wipperfurth read the following public hearing notices.

6.a. Teresa Kelso Requests A Certified Survey Map For A Lot Line Adjustment And Rezone From CR Countryside Residential District To A-2 (1) Agriculture Zoning District For Property Located At 4535 Smith Road, DeForest, WI.

Chairperson Wipperfurth opened the public hearing at 5:03 p.m.

Director of Planning and Zoning Anderson Scheppe provided a staff report. The petitioner is requesting approval of a certified survey map to adjust the property line between 4537 Smith Road and 4535 Smith Road to accommodate existing improvements on the subject properties. Each property is accessed from Smith Road by a recorded 33-foot ingress and egress easement. The proposed certified survey map will vacate a portion of an existing ingress and egress easement, create a portion of a new ingress and egress easement, and reconfigure the property line creating conforming structures and improvements.

Each lot is deemed legal non-conforming by village staff. The rezone is consistent with Windsor's Code of Ordinances and Windsor's Comprehensive Plan: 2035.

The Village Engineer and Surveying Department had no objections to the certified survey map. Fire and EMS had no objections.

Fees in lieu of parkland and fees for initial improvements of parkland will be waived as this is a property line adjustment. Petitioner is required to prepare a joint driveway and easement maintenance agreement and a joint well agreement.

Chairperson Wipperfurth closed the public hearing at 5:07 p.m.

- 6.b. Randy Ziegler Requests A Certified Survey Map For A Lot Line Adjustment And Rezone From CR Countryside Residential District To C-2 General Commercial Zoning District For Property Located At 7862 US Highway 51 And 4209 Manthe Road, DeForest, WI.

Chairperson Wipperfurth opened the public hearing at 5:10 p.m.

Director of Planning and Zoning Anderson Scheppe provided a staff report. Petitioner is requesting a two-lot certified map, rezone of the two lots, and a conditional use permit for a caretaker residence. Petitioner is proposing a lot-line adjustment. Lot 1 would be rezoned to CR, Countryside Residential District; and Lot 2 would be rezoned to C-2, General Commercial District. Lot 1 would include the existing single-family residence. Lot 2 would include the existing landscape, lawn and garden business, and a new caretaker residence for on-site management of the property. Overall the proposal is consistent with the requirements of Chapter 38. The caretaker residence is a permitted use for C-2. The engineer, surveyor, and Fire and EMS had no concerns. Construction of a new dwelling will require the payment of fees in lieu of parkland and fees for initial improvement of parkland.

Chairperson Wipperfurth closed the public hearing at 5:11 p.m.

- 6.c. Alan Buchner Requests A Certified Survey Map In Order To Combine Four Lots Into Two Lots At 3804 Vinburn Road, DeForest, WI.

Chairperson Wipperfurth opened the public hearing at 5:12 p.m.

Director of Planning and Zoning Anderson Schweppe provided a staff report. Petitioner is requesting a certified survey map to combine lots on the west Buchner property and transfer of development rights from the west property to the east Buchner property. The west property and east property are located on Vinburn Road. The petitioner intends to combine Lots 1 and 2 via certified survey map and deed restrict the new Lot 2 from further development. The petitioner intends to combine Lots 3 and 4 via certified survey map and deed restrict the new Lot 1 from further development. The petitioner intends to transfer the three eligible residential splits from the west property to the east property currently with one eligible residential split to achieve a total of four eligible residential splits for the development of single-family home sites. The proposal is consistent with Windsor's Code of Ordinances. The engineer, surveyor, and Fire and EMS had no concerns. Windsor will waive requirements for payment of fees in lieu of parkland and fees for initial improvement of parkland because the certified survey map does not create any new parcels or splits.

Attorney Mike Lawton advised that Alan Buchner was unable to attend the meeting. However, he had reviewed the report and agreed with it.

Chairperson Wipperfurth closed the public hearing at 5:16 p.m.

- 6.d. Scott Feiner Requests A Certified Survey Map In Order To Create Two Lots, A Rezone From A-4 Agriculture District To A-2 Agriculture District, And A Condominium Plat For Property Located In The NW 1/4 Of The NE 1/4 And Also Part Of The NE 1/4 Of Section 23, In The Village Of Windsor.

Chairperson Wipperfurth opened the public hearing at 5:17 p.m.

Director of Planning and Zoning Anderson Schweppe provided a staff report. Petitioner is requesting a certified survey map, condominium plat, rezone, and receiving of development rights on the east property. The east property is 16.65 acres in size with one eligible residential split. Petitioner intends to develop four residential splits as single-family home sites. In order to achieve this intent, a transfer/receiving of three residential splits from the west property to the east property must occur. Petitioner would like to subdivide the 16.65 acres into two lots by certified survey map. Lot 1 would be 2.0 acres in size. Lot 2 would be 14.0 acres in size, and 0.65 would be dedicated for right-of-way. The 16.65 acres would be rezoned from A1-EX, Exclusive Agriculture District, to A-2(2), Agriculture District. Lot 2 would be subdivided into three condominium plat units, with each unit approximately three acres or greater in size. Each of the four single-family home sites would be accessed by a private drive from Vinburn Road. The single-family home sites would also share a regional stormwater management facility. A stormwater management plan approved by Dane County will be required. Petitioner will be required to submit payment in lieu of parkland and fee for initial improvement of parkland per new residential dwelling.

A question was raised regarding the safety of the access point. The response was Village Engineer Richardson had worked with Schneider and the access point is okay. It meets the vision clearances.

Chairperson Wipperfurth added that this was the concept that was discussed a couple of months ago.

There will be prohibition of additional access points on Vinburn Road.

Chairperson Wipperfurth closed the public hearing at 5:23 p.m.

7. OLD BUSINESS.

8. NEW BUSINESS.

8.a. Plan Commission Resolution 2018-22 Teresa Kelso Requests A Certified Survey Map For A Lot Line Adjustment And Rezone From CR Countryside Residential District To A-2 (1) Agriculture Zoning District For Property Located At 4535 Smith Road, DeForest, WI.

A motion was made by Commissioner Gaustad, seconded by Commissioner Heisig, to approve Resolution 2018-22, Recommending Approval Of A Certified Survey Map And Rezone For 4535 & 4537 Smith Road In the Village of Windsor, Dane County. Motion carried with a 6-0 vote.

8.b. Plan Commission Resolution 2018-23 Randy Ziegler Requests A Certified Survey Map For A Lot Line Adjustment And Rezone From CR Countryside Residential District To C-2 General Commercial Zoning District For Property Located At 7862 US Highway 51 And 4209 Manthe Road, DeForest, WI.

A motion was made by Commissioner LeGore, seconded by Commissioner Hoffman, to approve Resolution 2018-23, Recommending Conditional Approval Of A Certified Survey Map, Rezone To C-2 Commercial District And A Conditional Use Permit For Caretaker Residence At 7862 US Highway 51, In The Village Of Windsor. Motion carried with a 6-0 vote.

8.c. Plan Commission Resolution 2018-24 Alan Buchner Requests A Certified Survey Map In Order To Combine Four Lots Into Two Lots At 3804 Vinburn Road, DeForest, WI.

A motion was made by Commissioner Lange, seconded by Commissioner Gaustad, to approve Resolution 2018-24, Recommending Transfer Of Development Rights For Property Located At 3804 Vinburn Road, DeForest, WI In The Village Of Windsor, Dane County. Motion carried with a 6-0 vote.

- 8.d. Plan Commission Resolution 2018-25 Scott Feiner Requests A Certified Survey Map In Order To Create Two Lots, A Rezone From A-4 Agriculture District To A-2 Agriculture District, And A Condominium Plat For Property Located In The NW 1/4 Of The NE 1/4 And Also Part Of The NW 1/4 Of The NW 1/4 Of Section 23, In The Village Of Windsor.

A motion was made by Commissioner Heisig, seconded by Commissioner Gaustad, to approve Resolution 2018-25, Recommending Approval Of A Certified Survey Map, Rezone, Condominium Plat And Transfer Of Development Rights For Property Located At 3553 Vinburn Road, In The Village Of Windsor, Dane County. Motion carried with a 6-0 vote.

- 8.e. Plan Commission Resolution 2018-26 Zoning Map Update.

Director of Planning and Zoning Anderson Schewpe advised that Windsor is updating its zoning map. There are three changes that are related to mapping errors. The remaining were because of rezone action by the Village Board in the past year.

A motion was made by Commissioner LeGore, seconded by Commissioner Lange, the approve Resolution 2018-26, Recommending Approval Of A Revised Official Zoning Map In The Village Of Windsor, Dane County. Motion carried with a 6-0 vote.

9. ADJOURNMENT.

At 5:26 p.m. a motion was made by Commissioner Gaustad, seconded by Commissioner Lange, to adjourn the Plan Commission meeting. Motion carried with a 6-0 vote.

Respectfully submitted,

Ellen G. Teed

Ellen G. Teed
Recording Secretary