

**VILLAGE OF WINDSOR
ORDINANCE 2019-05**

**APPROVAL OF A REZONE
FOR PROPERTY LOCATED AT 3804 VINBURN ROAD, DEFOREST, WI
IN THE VILLAGE OF WINDSOR, DANE COUNTY**

WHEREAS, Alan Buchner (the "Petitioner") being owner of 3804 Vinburn Road, DeForest, WI (the "Subject Property") has requested approval of:

- (1) a Three lot Certified Survey Map to combine residential lots; and
- (2) a Rezone of portions of Lot 1 from A1-EX, Exclusive Agriculture District to A-2(2), Agriculture District; and
- (3) a Rezone of Lot 2 from A1-EX Exclusive Agriculture District to A-2 Agriculture District; and
- (4) a transfer of three residential "splits" to an alternate property location; and

WHEREAS, the Petitioner obtained approval of the Certified Survey Map, Rezone, and Transfer of Development Rights request in Plan Commission Resolution 2019-03; and

WHEREAS, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner's request and prepared a Staff Report dated March 28, 2019 (the "Staff Report") recommending approval, subject to certain conditions specified in the Staff Report; and

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

NOW, THEREFORE, the Village Board of the Village of Windsor, Dane County, Wisconsin do ordain as follows:

SECTION ONE: The Windsor Code of Ordinances is hereby amended to Rezone Lots 1, 2 & 3 of Certified Survey Map set forth in Resolution 2019-20 for Alan Buchner located at 3804 Vinburn Road, DeForest, WI 53532 as follows and subject to the following conditions.

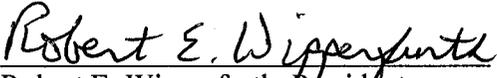
1. A portion of Lot 1 of the Certified Survey Map shall be rezoned from A1-EX, Exclusive Agriculture District to A-2(2), Agriculture District. (Identified as Parcel "B" on the attached Zoning Change Map)
2. Lot 2 of the Certified Survey Map shall be rezoned from A1-EX, Exclusive Agriculture District to A-2(4), Agriculture District. (Identified as Parcel "A" on the attached Zoning Change Map)
3. A portion of Lot 3 of the Certified Survey Map shall be rezoned from A-2(2), Agriculture District to A1-EX, Exclusive Agriculture District. (Identified as Parcel "C" on the attached Zoning Change Map)

4. 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.
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, Rezone, and Transfer of Development Rights 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 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, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, the approval shall be null and void and the matter will need to be resubmitted to the Village for review as an initial application.

SECTION TWO: This ordinance shall become effective upon passage and publication as provided by law.

The above and foregoing Ordinance was duly adopted at a meeting of the Village Board of the Village of Windsor held on April 4, 2019, by a vote of 3 in favor and 0 opposed.

VILLAGE OF WINDSOR


Robert E. Wipperfurth, *President*

Attested by:


Christine Capstran, Village Clerk

Published: 4-11-19

Effective: 4-12-19

INCORPORATED BY REFERENCE:

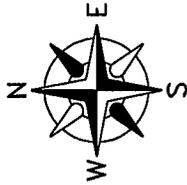
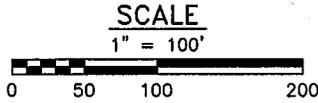
Staff Report

Plan Commission Resolution 2019-03

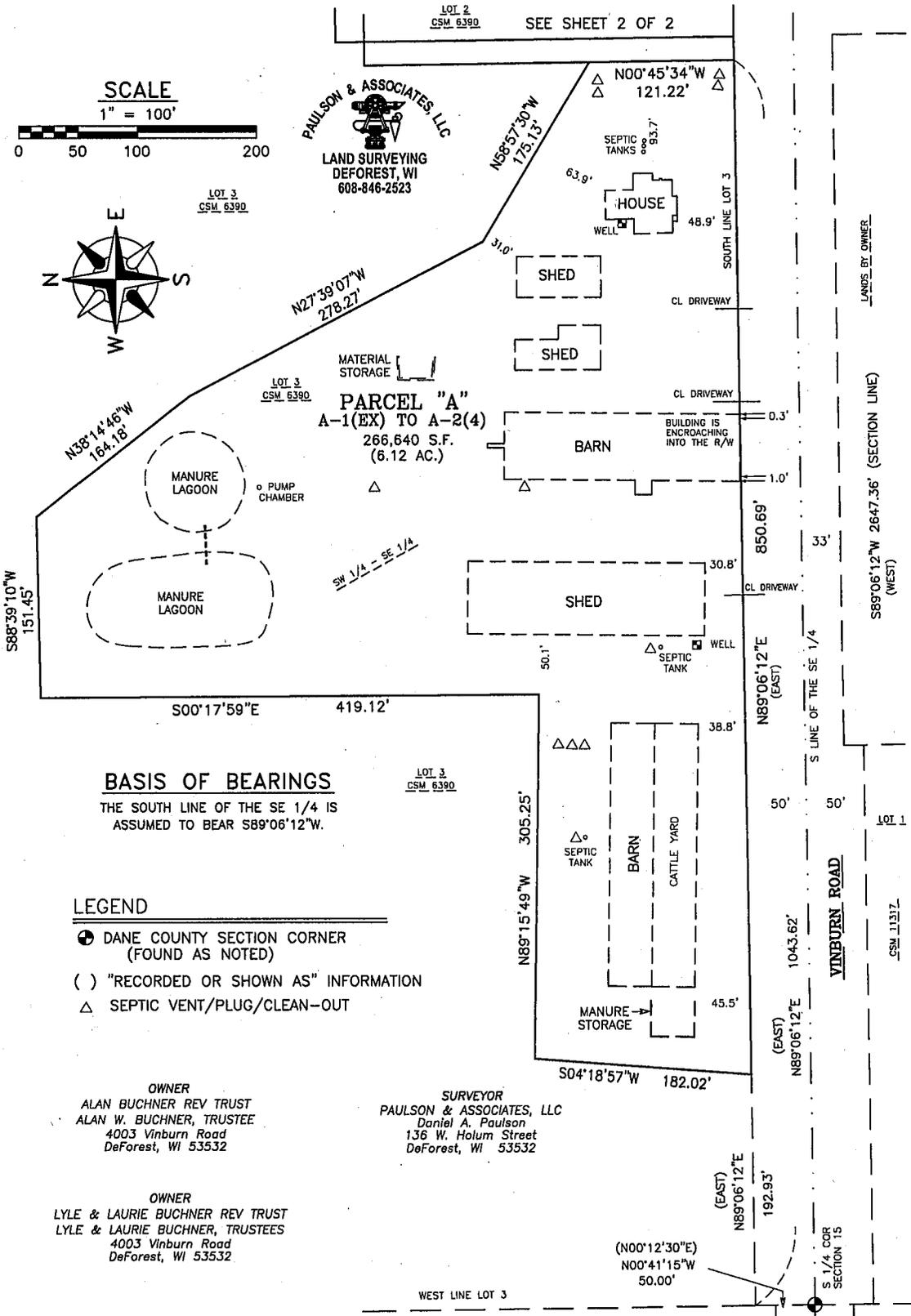
Village Board Resolution 2018-106

ZONING CHANGE MAP

BEING PART OF LOT 1, 2 & 3, C.S.M. NO. 6390; LOCATED IN THE SW 1/4 OF THE SE 1/4, SECTION 15, T09N, R10E, VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN



PAULSON & ASSOCIATES, LLC
 LAND SURVEYING
 DEFOREST, WI
 608-846-2523



BASIS OF BEARINGS

THE SOUTH LINE OF THE SE 1/4 IS ASSUMED TO BEAR S89°06'12"W.

LEGEND

- ⊕ DANE COUNTY SECTION CORNER (FOUND AS NOTED)
- () "RECORDED OR SHOWN AS" INFORMATION
- △ SEPTIC VENT/PLUG/CLEAN-OUT

OWNER
 ALAN BUCHNER REV TRUST
 ALAN W. BUCHNER, TRUSTEE
 4003 Vinburn Road
 DeForest, WI 53532

OWNER
 LYLE & LAURIE BUCHNER REV TRUST
 LYLE & LAURIE BUCHNER, TRUSTEES
 4003 Vinburn Road
 DeForest, WI 53532

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

**DESCRIPTION
for
Zoning Change**

Alan Buchner Rev. Trust and Lyle & Laurie Buchner Rev. Trust

PARCEL "A"

A-1(EX) to A-2(4)

Part of P.I.N. 0910-154-9380-9

Being part of Lot 3, CSM No. 6390, located in the SW ¼ of the SE ¼ of Section 15, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin, described as follows:

COMMENCING at the South ¼ Corner of Section 15;

thence N00°41'15"W (recorded as N00°12'30"E), 50.00 feet along the west line of the SE ¼ of Section 15 to the southwest corner of Lot 3, CSM No. 6390;

thence N89°06'12"E (recorded as East), 192.93 feet along the south line of Lot 3, CSM No. 6390 to the **POINT OF BEGINNING**.

thence continuing N89°06'12"E (recorded as East), 850.69 feet along the south line of Lot 3, CSM No. 6390;

thence N00°45'34"W, 121.22 feet;

thence N58°57'30"W, 175.13 feet;

thence N27°39'07"W, 278.27 feet;

thence N38°14'46"W, 164.18 feet;

thence S88°39'10"W, 151.45 feet;

thence S00°17'59"E, 419.12 feet;

thence N89°15'49"W, 305.25 feet;

thence S04°18'57"W, 182.02 feet to the **POINT OF BEGINNING**.

Containing 266,640 square feet, (6.12 acres).

Subject to all recorded and unrecorded easements.

PARCEL "B"

A-1(EX) to A-2(1)

Part of P.I.N. 0910-154-9380-9

Being part of Lot 3, CSM No. 6390, located in the SW ¼ of the SE ¼ of Section 15, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin, described as follows:

COMMENCING at the South ¼ Corner of Section 15;

thence N00°41'15"W (recorded as N00°12'30"E), 50.00 feet along the west line of the SE ¼ of Section 15 to the southwest corner of Lot 3, CSM No. 6390;

thence N89°06'12"E (recorded as East), 1043.62 feet along the south line of Lot 3, CSM No. 6390 to the **POINT OF BEGINNING**.

thence continuing N89°06'12"E (recorded as East), 20.00 feet along the south line of Lot 3, CSM No. 6390 to the southwest corner of Lot 2, CSM No. 6390;

thence N00°45'34"W (recorded as N00°08'28"E), 311.16 feet along the west line of Lot 2, CSM No. 6390;

thence S89°06'12"W, 20.00 feet;

thence S00°45'34"E, 311.16 feet to the **POINT OF BEGINNING**.

Containing 6,220 square feet, (0.14 acres).

Subject to all recorded and unrecorded easements.

PARCEL "C"

A-2(1) to A-1(EX)

Part of P.I.N. 0910-154-9360-3 & 0910-154-9370-1

Being part of Lots 1 & 2, CSM No. 6390, located in the SW ¼ of the SE ¼ of Section 15, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin, described as follows:

COMMENCING at the South ¼ Corner of Section 15;

thence N00°41'15"W (recorded as N00°12'30"E), 50.00 feet along the west line of the SE ¼ of Section 15 to the southwest corner of Lot 3, CSM No. 6390;

thence N89°06'12"E (recorded as East), 1063.62 feet along the south line of Lot 3, CSM No. 6390 to the southwest corner of Lot 2, CSM No. 6390;

thence N00°45'34"W (recorded as N00°08'28"E), 311.16 feet along the west line of Lot 2, CSM No. 6390 to the **POINT OF BEGINNING**;

thence continuing N00°45'34"W (recorded as N00°08'28"E), 23.94 feet along the west line of Lot 2, CSM No. 6390 to the northwest corner of said Lot 2;

thence N89°06'12"E (recorded as East), 260.00 feet along the north line of Lots 1 & 2, CSM No. 6390 to the northeast corner of said Lot 1;

thence S00°45'34"E (recorded as S00°08'28"W), 23.94 feet along the east line of Lot 1, CSM No. 6390;

thence S89°06'12"W, 260.00 feet to the **POINT OF BEGINNING**.

Containing 6,220 square feet, (0.14 acres).

Subject to all recorded and unrecorded easements

See ZONING CHANGE MAP:

This Description Prepared by:

Paulson & Associates, LLC

Daniel A. Paulson

Professional Land Surveyor

March 1, 2019