

**VILLAGE OF WINDSOR  
VILLAGE BOARD RESOLUTION 2024-114**

**APPROVAL OF A CERTIFIED SURVEY MAP AND  
CONDOMINIUM PLATS FOR 6580 LAKE ROAD**

**WHEREAS**, Abe and Lisa Degnan (d.b.a. Freedom Storage Shops, LLC) (the “Petitioner”) has requested approval of a Certified Survey Map and Condominium Plat for commercial storage buildings to be located at 6580 Lake Road, Windsor, WI 53598 (the “Subject Property”); and

**WHEREAS**, the Village Staff and Consultants have reviewed the Petitioner’s request and prepared a Staff Report dated December 06, 2024 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

**WHEREAS**, the Village of Windsor Plan Commission held a meeting regarding the request on December 12, 2024 and

**WHEREAS**, following review of information presented at the Plan Commission meeting and the Staff Report, the Plan Commission recommends approval to the Village Board, 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 as follows:

The Village of Windsor Village Board approves the Certified Survey Map and Condominium Plats located at the Subject Property, subject to the following conditions:

**A. Certified Survey Map**

1. The Petitioner shall address the Staff Comments set forth in the Staff Report to the satisfaction of the Community Development Director.
2. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed’s Office.

**B. Plat (Condominium)**

1. The Petitioner shall address the Staff Comments set forth in the Staff Report to the satisfaction of the Community Development Director.
2. The Petitioner shall comply with the requirements of Sec. 52-73 (C-2, General Commercial District) of the Windsor Code of Ordinances.
3. The Petitioner shall present to the Community Development Director, in a form approved by the Village Attorney, the following executed documents:
  - a. Agreement to Remove Property from Century Center Condominium
  - b. 2<sup>nd</sup> Amended and Restated Declaration of Century Center Condominium
  - c. Third Addendum to Century Center Condominium Plat
  - d. Freedom Storage Shops Windsor Condominium Plat
  - e. Declaration of Freedom Storage Shops Windsor Condominium, which shall include the following provisions:

- i. Office; Service and wholesale use; Building trade or contractor business; lawn care, snow removal and landscaping; automotive detailing, tinting (excluding automotive repairs or painting), provided all operations are confined to the interior of buildings; Mini-warehouse storage. All other permitted or conditional uses allowed in the C-2, General Commercial District shall be prohibited.
    - ii. Third party buyers and/or renters intending to operate a business within a commercial storage shop unit are required to obtain a Limited Site Plan Review approval by the Community Development Director (or designee).
  - f. Declaration of Easement for Private Road, Public Utilities and Maintenance
- 4. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Condominium Plats, Declarations, and Easement with the Dane County Register of Deed's Office.
- C. The Petitioner, prior to the recording of any documents stated herein, shall bring the Subject Property into compliance with the building setback requirements of the Village Code of Ordinances by either moving the building, moving the property line, or both.
- D. The Petitioner shall promptly reimburse the Village for all costs and expenses incurred by the Village in connection with the review and approval of the matters herein, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services.
- E. The Plan Commission's recommendation and Village Board's approval of the matters herein expires one hundred-eighty (180) days from the date of adoption of this Resolution (or in the case of the Village Board, from the date of adoption of a resolution by that body) unless the Petitioner has satisfied all conditions of approval stated herein. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Community Development Director, the Community Development Director is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Village Board is unable to or does not act on the Plan Commission's recommendation prior to expiration, then this matter shall be re-referred to the Plan Commission prior to further action by the Village Board.

The above and foregoing Resolution was duly adopted at a meeting of the Village Board of the Village of Windsor held on December 19, 2024, by a vote of 5 in favor and 0 opposed.

**VILLAGE OF WINDSOR**



---

Robert E. Wipperfurth, President

**Attested by:**

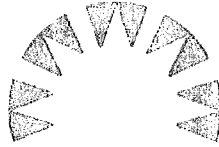


---

Christine Capstran, Clerk

**Incorporated by Reference:**

- Staff Report
- Development Review Application
- Plan Commission Resolution 2024-22



# Windsor

Growing Forward

---

## STAFF REPORT

To: Plan Commission & Village Board  
Cc: Robert Wipperfurth, Tina Butteris, & William Cole  
From: Shaun Mularkey & Jamie Rybarczyk  
Submtl Date: November 11, 2024  
Rpt Date: December 06, 2024  
Decision Date: February 09, 2025  
Mtg Date for PC: December 12, 2024  
Mtg Date for VB: December 19, 2024  
Re: Freedom Storage Shops – Certified Survey Map & Condominium Plat

### BACKGROUND:

Petitioner: Abe & Lisa Degnan (d.b.a. Freedom Storage Shops, LLC)  
Property Owner: Abe Degnan  
Address: 6580 Lake Road, Windsor, WI 53598  
Taxkey: 196/0910-322-3013-1  
Area: 5.24 acres  
Existing Zoning: C-2, General Commercial District  
Proposed Zoning: N/A  
Future Land Use: Neighborhood Mixed Use

### REQUEST:

The Petitioner is requesting approval of Certified Survey Map to create a 2.27-acre lot and two outlots (0.99 acres and 1.04 acres) from the existing 5.24-acre lot for the purpose of creating a new Condominium Plat for Freedom Storage Shops separate from the existing Century Center Condominium at 6592 Lake Road. The Petitioner is also requesting approval of the new Freedom Storage Shops Condominium Plat and an addendum to the existing Century Center Condominium Plat to remove Unit 5 (previously created for Freedom Storage Shops).

See Exhibit A for additional information regarding the Development Review Application.

### OVERVIEW:

In January 2024, the Village Board approved a Site Plan, Condominium Plat, and Rezone from the C-1, Limited Commercial District to the C-2, General Commercial District for Freedom Storage Shops, a commercial storage shop development providing small businesses and individual owners storage, office and workshop space similar to the Storage Shop USA development on Kenworth Drive.

Freedom Storage Shop is approved for 25 commercial storage shop units within 12 buildings with access via a 66' wide access easement onto Lake Road behind the Century Center Condominium office building.

The Century Center Condominium office building is comprised of Units 1 to 4 per the existing Condominium Plat. An addendum to the Century Center Condominium Plat, approved in January 2024, created Unit 5 for Freedom Storage Shops, which was essentially a Condominium Plat within a Condominium Plat.

Following approvals by the Village of Windsor, the Petitioner submitted the proposed Condominium Plat within a Condominium Plat to Dane County for recording. The Condominium Plat was rejected by Dane County and recommended that Abe separate the Freedom Storage Shops development from the Century Center Condominium office building development via Certified Survey Map and then submit a revised Condominium Plat for Freedom Storage Shops.

#### **STAFF COMMENTS – COMMUNITY DEVELOPMENT:**

The Community Development Department provides the following comments:

A. Comprehensive Plan: 2035

The Subject Property, and surrounding properties on the east side of Lake Road are planned for Neighborhood Mixed Use.

B. Ch. 52: Zoning Districts

The Subject Property is zoned C-2, General Commercial District which allows building trade, contractor uses, and storage/warehousing as permitted uses. For parcels or sites used for business purposes, there is no minimum parcel width and no area limitations. Any principal building together with its accessory structures shall not cover more than 60 percent of the lot area. The proposed development and new lot meet these requirements, with the exception of the setback for Unit 101 and the proposed lot line directly north. The setback is labeled as 8.8'. The CSM and Condominium Plat should be adjusted to show a 10' minimum setback in this location.

C. Ch. 38: Planning & Development and Wis. Stats. Ch. 236

The Petitioner has submitted a Certified Survey Map to create a 2.27-acre lot and two outlots (1.69 acres and 0.40 acres) and from the existing 5.24-acre lot for the purpose of creating a new Condominium Plat for Freedom Storage Shops separate from the existing Century Center Condominium at 6592 Lake Road.

The Petitioner has also submitted the new Freedom Storage Shops Condominium Plat and the addendum to the existing Century Center Condominium Plat to remove Unit 5 (previously created for Freedom Storage Shops). Accompanying the Condominium Plats are a Declaration of Condominium document for Freedom Storage Shops, and an amended Declaration of Condominium document for Century Center (removing Unit 5), and an agreement to remove Unit 5. Also submitted is a proposed Easement for a Private Road, Utilities and Maintenance for access to the new lot. Freedom Storage Shop will be 100% responsible for maintenance per the document.

Village ordinances require that Condominium Plats be reviewed in the same manner as preliminary plats, but in accordance with the requirements of Wis. Stats. § 703.115.

1. Certified Survey Map – General Review

- a. The CSM creates a lot without frontage on a public road, but will have access via the proposed easement. Sec 38-509 requires that residential lots front or abut for a distance of at least 60 feet on a public street or 30 feet on a cul-de-sac, but there is no such requirement for a commercial lot.
- b. The CSM creates two outlots. The larger Outlot 1 includes the majority of pond/wetlands on the property, while Outlot 2 includes the portion of Lake Windsor on the property. The

division between the two outlots coincides with the property boundary between Freedom Storage Shops and the Lake Windsor Center property.

2. Certified Survey Map – Technical Review

a. State Statute 236 Review

- 1) 36.34(1m)(a). Ratio of error in latitude and departure closure may not exceed 1'/3000'. L2 distances on Sheet 1 and Sheet 2 do not match.
- 2) 236.20(2)(h). The centerline of all streets. Label and show tie to CL of Lake Road.
- 3) 236.025 Ordinary High Water Marks. Shown Approximate OHWM of Lake Windsor.
- 4) 236.20(6). A CSM that includes lots/outlots that extend to the water's edge per s. 236.16 (4) shall include the following note on the drawing: "Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution." Add note to CSM.

b. Village of Windsor Review – No comments.

c. Recommendations:

- Show Vicinity Map
- Label Water in OL 1
- Clarify what dashed line on Sheet 1, along L2 refers to

2. Condominium Plat – Technical Review.

a. The condominium plat meets all statutory requirements.

3. Declaration of Condominium Document – Freedom Storage Shop

- a. Section 9.1.1 - Permitted Uses. The following permitted uses are listed: *Office; Service and wholesale use; Building trade or contractor business; lawncare, snow removal and landscaping; automotive detailing, tinting (excluding automotive repairs or painting), provided all operations are confined to the interior of buildings; mini-warehouse storage.*
- b. Section 9.1.3 – Site Plan. This section requires Site Plan Review approvals from the Village for each unit, but excludes the initial unit owners. This section should be amended to require Limited Site Plan Review approval by Village Staff.
- c. Section 13.1 – Relocation of Boundaries. This section allows the relocation of unit boundaries upon approval of all unit owners. This section should be amended to require Limited Site Plan Review approval by Village Staff.
- d. Section 23 – Site Plan. This section should be amended to reference Limited Site Plan Review.

**STAFF RECOMMENDED CONDITIONS:**

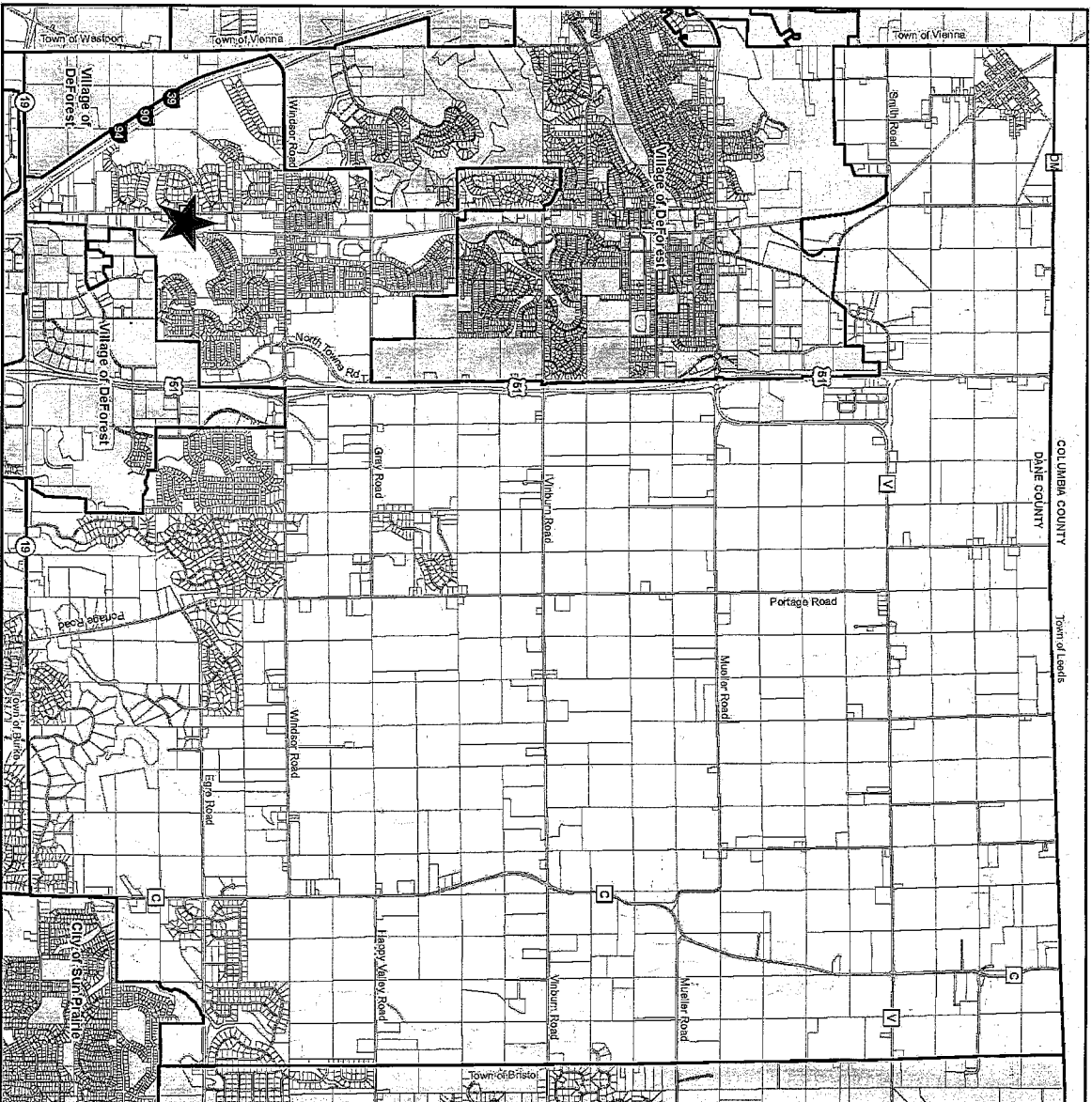
Staff recommends any approval be subject to the following conditions:

A. Certified Survey Map

1. The Petitioner shall address the Staff Comments set forth in the Staff Report to the satisfaction of the Community Development Director.

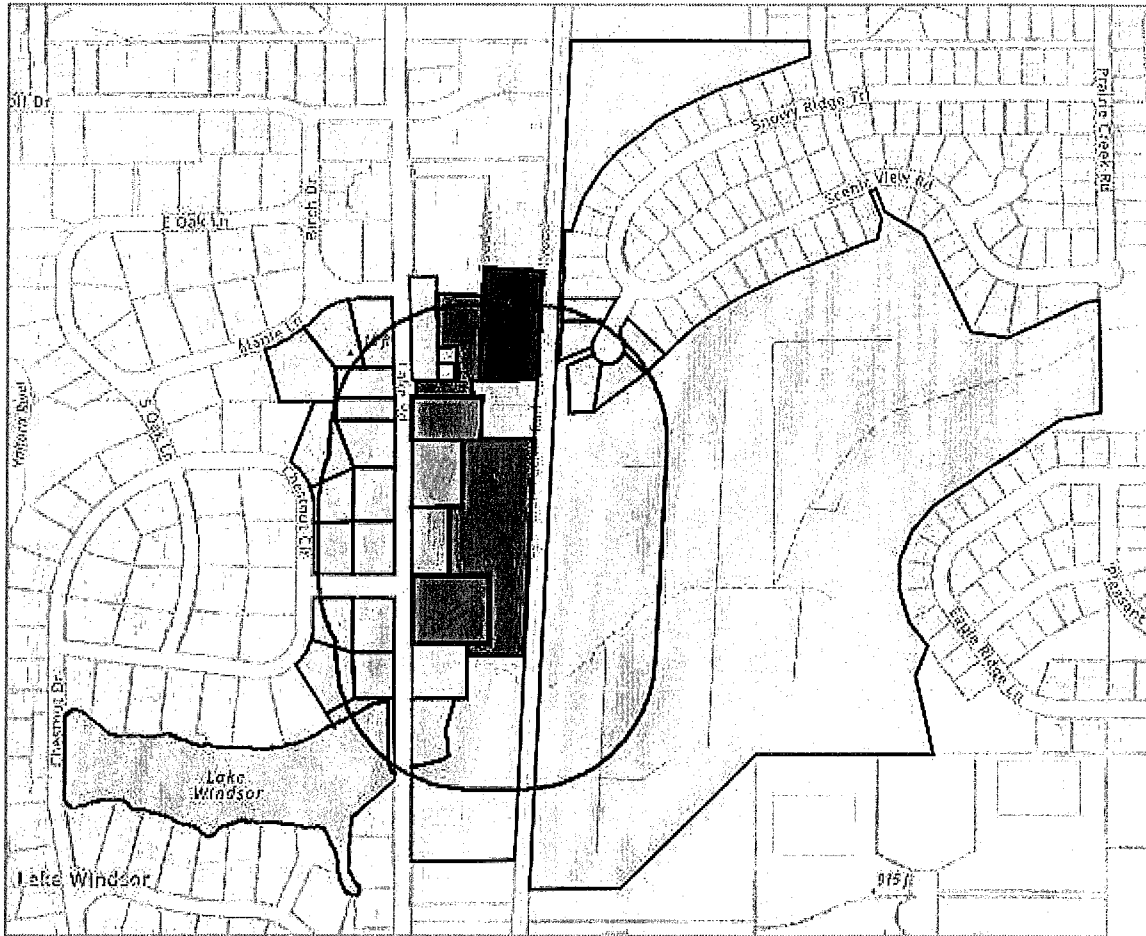
2. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's Office.
- B. Plat (Condominium)
1. The Petitioner shall address the Staff Comments set forth in the Staff Report to the satisfaction of the Community Development Director.
  2. The Petitioner shall comply with the requirements of Sec. 52-73 (C-2, General Commercial District) of the Windsor Code of Ordinances.
  3. The Petitioner shall present to the Community Development Director, in a form approved by the Village Attorney, the following executed documents:
    - a. Agreement to Remove Property from Century Center Condominium
    - b. 2<sup>nd</sup> Amended and Restated Declaration of Century Center Condominium
    - c. Third Addendum to Century Center Condominium Plat
    - d. Freedom Storage Shops Windsor Condominium Plat
    - e. Declaration of Freedom Storage Shops Windsor Condominium, which shall include the following provisions:
      - i. Office; Service and wholesale use; Building trade or contractor business; lawn care, snow removal and landscaping; automotive detailing, tinting (excluding automotive repairs or painting), provided all operations are confined to the interior of buildings; Mini-warehouse storage. All other permitted or conditional uses allowed in the C-2, General Commercial District shall be prohibited.
      - ii. Third party buyers and/or renters intending to operate a business within a commercial storage shop unit are required to obtain a Limited Site Plan Review approval by the Community Development Director (or designee).
    - f. Declaration of Easement for Private Road, Public Utilities and Maintenance
  4. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Condominium Plats, Declarations, and Easement with the Dane County Register of Deed's Office.
- C. The Petitioner shall promptly reimburse the Village for all costs and expenses incurred by the Village in connection with the review and approval of the matters herein, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services.
- D. The Plan Commission's recommendation and Village Board's approval of the matters herein expires one hundred-eighty (180) days from the date of adoption of this Resolution (or in the case of the Village Board, from the date of adoption of a resolution by that body) unless the Petitioner has satisfied all conditions of approval stated herein. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Community Development Director, the Community Development Director is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Village Board is unable to or does not act on the Plan Commission's recommendation prior to expiration, then this matter shall be re-referred to the Plan Commission prior to further action by the Village Board.

LOCATION MAP:





**500' NOTICE:**



**EXHIBIT:**

A. Development Review Application

Windsor Planning, Zoning, & Development

Printed: 11/15/2024

6580 Lake Rd, Windsor WI

11/15/2024 - 11/14/2025

3487905

Development Review

Development Review Request Fee

2fb498f0-a074-11ef-bf8b-f3eda4f2ba42

Awaiting Payment

Active

### Application Review Status

Final-Review

Completed

11/11/2024

11/15/2024

### Fees

Planning and Development: Certified \$325.00  
Survey Map - Application Fee

Planning and Development: Certified \$1,000.00  
Survey Map - Escrow

Planning and Development: \$500.00  
Condominium Plat - Application Fee

Planning and Development: \$1,000.00  
Condominium Plat - Escrow

**Subtotal \$2,825.00**

**Amount Paid \$0.00**

### Payments

There are no payments

### Application Form Data

(Empty fields are not included)

Parcel Number

196/0910-322-3013-1

Property Physical Address

6580 Lake Rd, Windsor WI

Lot Area (sq ft)\*

230502

Primary Contact First Name

**Abe**

Primary Contact Last Name

**Degnan**

Contact Email

**abe@degnandesignbuildremodel.com**

Mailing Address

**6846 Conservancy plz**

City

**DeForest**

State

**WI**

Zip

**53532**

Contact Phone

**(608) 575-4073**

Is the applicant the property owner?

**Yes**

Planning and Development

**Certified Survey Map: Refer to Ch 38, Art IV, Div 6, Condominium Plat: Refer to Ch 38, Art IV, Div 10**

Supplemental Application Information Document Upload

- FSS Windsor Condo Submittal.pdf**
- 2313352 CSM (2024-11-11).pdf**
- 231352 Condo Plat-New (2024-11-11).pdf**
- Declaration of Easement & Maintenance.pdf**
- Agreement to Remove Property.pdf**
- 2313352 Condo Plat-Addendum 3 (2024-11-11).pdf**
- Century Center 2nd Amended Restated Condo.pdf**
- Declaration Condominium\_Freedom Storage Shops.pdf**

## Signature

**Acknowledgement of Understanding:** The Applicant and Property Owner have reviewed and understand the Village of Windsor Code of Ordinances as it relates to the Development Review Application, Supplemental Information, and Technical Specifications required for the Development Review Request.

The Applicant and Property Owner understand that an Administrative Fee and Escrow Fee will be charged for review of the Development Review Request by the Village staff and professional consultants, and payment must be submitted with the

11/15/24, 10:08 AM

Civic Review - Permit & Licensing Software

Development Review Request.

Abe J Degnan - 11/11/2024 3:30 pm

## Messages

GM Abe, I have deemed your application complete. I will be scheduling this application for the Dec. 12th Plan Commission meeting and Dec. 19th Village Board meeting. Please submit payment of fees ASAP.

# Freedom Storage Shops LLC

November 11, 2024



Earlier in 2024, Windsor approved the developers agreement, zoning and site plan for Freedom Storage Shops LLC. It has been a slow process to finalize the condominium plat and declaration, and now the time has come.

The solution arrived at is to separate Freedom Storage Shops LLC from Century Center. The land that FSS purchased ("Unit 5") was always designed, within the Century Center condo docs, to be independent from the main Century Center building, Units 1-4. Hence, the parties came to an agreement to remove the FSS land from Century Center.

To those ends, we present with this application a CSM that separates CC and FSS from each other. We also present the condominium plat for Freedom Storage Shops Windsor Condominium. There are several agreements in place and ready to be filed that go along with this:

- Agreement to Remove Property from Century Center Condominium
  - This is the agreement between the owners of Century Center Units 1-5 (including FSS) that allows Unit 5/FSS to be removed, and become its own entity.
- Declaration of Easement for Private Road, Public Utilities and Maintenance
  - This provides that the current access to Freedom Storage Shops thru Century Center remains.
  - It also states that Freedom Storage Shops becomes 100% responsible for maintenance of the easement, instead of the former 75% responsibility it had.
  - The maintenance standards are explicitly stated using PASER rating as a benchmark, to create an objective measure that avoids subjective conflict.
- 2nd Amended and Restated Declaration of Century Center Condominium
  - The remaining owners of the 4-unit Century Center have signed off on a restated declaration that has only their units, instead of also having any references to Unit 5 (FSS).
  - All the terms of their main condo agreement remain intact.
- Freedom Storage Shops Windsor Condominium Declaration
  - This document is prepared in compliance with our developers agreement, including the usage restrictions that we agreed to earlier this year.

## Conclusion

We are pleased to have worked through these circumstances and look forward to Windsor's approval.

Sincerely,

Abe & Lisa Degnan  
Freedom Storage Shops LLC

Application online: <https://app.civicroview.com/application/628d44bf282edeb4dd8b903f>