

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 11882

Dane County Zoning & Land Regulation Committee Public Hearing Date 9/20/2022

Whereas, the Town Board of the Town of Burke having considered said zoning petition, be it therefore resolved that said petition is hereby (check one): Approved Denied Postponed

Town Planning Commission Vote: 5 in favor 0 opposed 0 abstained

Town Board Vote: 4 in favor 0 opposed 0 abstained

THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1. Deed restriction limiting use(s) in the _____ zoning district to **only** the following:

2. Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):

3. Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):

4. Condition that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):

5. Other Condition(s). Please specify:
1) Mark Orvick obtaining approval of the Rezone from Dane County and the City of Madison; and
2) In the event all the conditions of approval are not fulfilled or waived by the Town Board by December 31, 2022, the approval of the Rezone shall be automatically null and void.

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, PJ Lentz, as Town Clerk of the Town of Burke, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 9/21/2022
Town Clerk PJ Lentz Date: 9/22/2022

**TOWN OF BURKE
RESOLUTION NO. 09212022C**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE
CONDITIONALLY APPROVING A REZONE APPLICATION SUBMITTED
BY MARK ORVICK**

RECITALS

WHEREAS, Mark Orvick submitted a Rezone Application for the purpose of rezoning the existing family residence from farmland at 5978 Portage Road (0810-102-9101-0 and 0810-102-9000-2) creating a 2.80 acre lot with the home and a 37.55 acre farm field.

WHEREAS, Parcel 0810-102-9101-0 is a 10 acre parcel containing the home currently zoned RM-16; and

WHEREAS, Parcel 0810-102-9000-0 is a 30 acre farm land parcel currently zone RM-16; and

WHEREAS, the 2.80 acre parcel containing the home will be zoned RR-2; and

WHEREAS, the 37.55 acre farm field parcel will be zone RM-16; and

WHEREAS, The Plan Commission met September 7, 2022, to review the proposed Rezone application submitted by Mark Orvick; and

WHEREAS, the Plan Commission determined that there are no conflicts with the Town Comprehensive Plan and the proposed Rezone is consistent with the Comprehensive Plan; and

WHEREAS, the Plan Commission took action recommending the Town Board approve the Rezone Application; and

WHEREAS, a Public Hearing was held on September 21, 2022; and

WHEREAS, the Town Board has reviewed and considered the Plan Commission's recommendation.

NOW, THEREFORE, the Town Board hereby approves the Rezone with the following conditions:

- 1) Mark Orvick obtaining approval of the Rezone from Dane County and the City of Madison; and
- 2) In the event all the conditions of approval are not fulfilled or waived by the Town Board by December 31, 2022, the approval of the Rezone shall be automatically null and void.

The above Resolution was duly adopted by the Town Board of the Town of Burke, Dane County, Wisconsin, at a meeting on September 21, 2022.

APPROVED: _____

By Kevin Viney
Kevin Viney, Town Chair

ATTEST: _____

PJ Lentz, Clerk

