

DANE COUNTY ORDINANCE AMENDMENT NO: 10246

Internal Tracking Number: RECU25760

Amending Section 10.03 relating to Zoning Districts in the Town of Vienna.

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Vienna be amended to include in the R-1 Residential and CO-1 Conservancy district(s) following described land:

PETITION NUMBER: 10246

Part of Section 36, Town of Vienna described as follows:

A-1EX TO R-1

All that part of the Southeast quarter of the Southwest quarter of Section 36, Town 9 North, Range 9 East, Town of Vienna, Dane County, Wisconsin, described as follows: Commencing at the South quarter corner of section 36; Thence North 89°41'16"West, along the south line of said southwest quarter, 990.00 feet ;Thence North 00°46'25"West, 149.96 feet to the point of beginning of the lands hereinafter described; Thence South 85°43'44"West, 193.63 feet; Thence North 26°26'48"West, 26.04 feet to a point on the arc of a 70.00 foot radius curve the center of which lies to the northeast; Thence northerly, 128.25 feet along the arc of said curve having a chord bearing North 63°57'39"West, 111.05 feet to the point of tangency; Thence North 11°28'30"West, 20.00 feet to the point of curvature of a 70.00 foot radius curve the center of which lies to the southeast; Thence northeasterly, 59.16 feet along the arc of said curve having a chord bearing North 12°44'10"East, 57.41 feet to a point of reverse curvature with a 40.00 foot radius curve the center of which lies to the west; Thence northerly, 33.81 feet along the arc of said curve having a chord bearing North 12°44'10"East, 32.81 feet to the point of tangency; Thence North 11°28'30"West, 19.92 feet to the point of curvature of a 1233.00 foot radius curve the center of which lies to the east; Thence northerly, 123.06 feet along the arc of said curve having a chord bearing North 08°36'58"West, 123.00 feet to a point of reverse curvature with a 15.00 foot radius curve the center of which lies to the southwest; Thence northwesterly, 25.90 feet along the arc of said curve having a chord bearing North 55°13'33"West, 22.80 feet to the point of tangency; Thence South 75°18'14"West, 9.49 feet; to a point on the east line of Nature Valley Conservation Neighborhood Subdivision; Thence North 00°37'43"West, along said east line, 68.04 feet; Thence North 75°18'14"East, 9.73 feet to a point of curvature of a 15.00 foot radius curve the center of which lies to the northwest; Thence northeasterly, 20.93 feet along the arc of said curve having a chord bearing North 35°19'52"East, 19.27 feet to the point of tangency; Thence North 04°38'34"West, 102.64 feet to the point of curvature of a 633.00 foot radius curve the center of which lies to the east; Thence northerly, 44.35 feet along the arc of said curve having a chord bearing North 02°38'09"West, 44.34 feet to the point of tangency; Thence North 00°37'43"West, 268.06 feet to the point of curvature of a 633.00 foot radius curve the center of which lies to the east; Thence northerly, 71.60 feet along the arc of said curve having a chord bearing North 02°36'42"East, 71.56 feet to the point of tangency; Thence North 05°50'41"East, 105.11 feet to the point of curvature of a 40.00 foot radius curve the center of which lies to the west;

Thence northerly, 33.81 feet along the arc of said curve having a chord bearing North 18°21'33"West, 32.81 feet to a point of reverse curvature with a 70.00 foot radius curve the center of which lies to the east; Thence Northerly, 59.16 feet along the arc of said curve having a chord bearing North 18°21'33"West, 57.41 feet to the point of tangency; Thence North 05°51'07" East, 20.00 feet to the point of tangency of a 70.00 foot radius curve the center of which lies to the southeast; Thence Northeasterly, 56.67 feet along the arc of said curve having a chord bearing North 29°02'40" East, 55.14 feet; Thence North 00°37'43"West, 169.53 feet; Thence North 89°22'17"East, 119.18 feet; Thence South 10°23'54"East, 118.73 feet; Thence South 89°50'40"West, 50.46 feet; Thence South 34°49'15"West, 50.28 feet to a point on the arc of a 70.00 foot radius curve the center of which lies to the southwest; Thence southeasterly, 100.23 feet along the arc of said curve having a chord bearing South 35°10'07"East, 91.89 feet to the point of tangency; Thence South 05°51'07"West, 20.00 feet; Thence North 89°32'41"East, 53.24 feet; Thence South 10°23'54"East, 598.79 feet; Thence South 73°38'25"East, 41.59 feet; Thence South 00°46'25"East, 465.04 feet to the point of beginning. Containing 311,890 square feet or 7.16 acres of land, subject to future public roadway dedication.

A-1EX TO CO-1 (Outlot 8)

All that part of the Southeast quarter of the Southwest quarter of Section 36, Town 9 North, Range 9 East, Town of Vienna, Dane County, Wisconsin, described as follows: Commencing at the south quarter corner of said section 36; Thence North 89°41'16" West, along the south line of the southwest quarter, 990.00 feet to the point of beginning of the lands hereinafter described: Thence continuing North 89°41'16" West, along said south line, 335.78 feet to the southeast corner of Nature Valley Conservation Neighborhood Subdivision; Thence North 00°37'43" West, along the east line of said subdivision, 465.14 feet to a point on the south line of Meadow Side Lane; Thence North 75°18'14"East, along said south line, 9.49 feet to the PC of a 15.00 foot radius curve the center of which lies to the southwest; Thence easterly, 25.90 feet along said curve having a chord bearing South 55°13'33"East, 22.80 feet to the point of reverse curvature of a 1233.00 foot radius curve the center of which lies to the east; Thence southerly, 123.06 feet along the arc of said curve having a chord bearing South 08°36'58"East, 123.00 feet to the point of tangency of said curve; Thence South 11°28'30" East, 19.92 feet to the PC of a 40.00 foot radius curve the center of which lies to the west; Thence southerly, 33.81 feet along the arc of said curve having a chord bearing South 12°44'10"West, 32.81 feet to the point of reverse curvature with a 70.00 foot radius curve the center of which lies to the east; Thence southerly, 59.16 feet along the arc of said curve having a chord bearing south 12°44'10"West, 57.41 feet to the point of tangency of said curve; Thence South 11°28'30"East, 20.00 feet to the point of curvature of a 70.00 foot radius curve the center of which lies to the north; Thence easterly, 128.25 feet along the arc of said curve having a chord bearing South 63°57'39"East, 111.05 feet; Thence South 26°26'48"East, 26.04 feet; Thence North 85°43'44"East, 193.63 feet; Thence South 00°46'25"East, 149.96 feet to the point of beginning. Containing a total area of 60,900 square feet. Excepting there from all the above described lands lying within the existing right-of-way of Easy Street, containing a net area of 47,458 square feet or 1.09 acres of land less r/w.

A-1EX TO CO-1 (Outlot 9)

All that part of the Southeast quarter of the Southwest quarter of Section 36, Town 9 North, Range 9 East, Town of Vienna, Dane County, Wisconsin, described as follows: Commencing at the South quarter corner of section 36; Thence North $89^{\circ}41'16''$ West, along the south line of said southwest quarter, 990.00 feet; Thence North $00^{\circ}46'25''$ West, 615.00 feet;

Thence North $73^{\circ}38'25''$ West, 41.59 feet; Thence North $10^{\circ}23'54''$ West, 598.79 feet to the point of beginning of the lands hereinafter described; Thence South $89^{\circ}32'41''$ West, 53.24 feet;

Thence North $05^{\circ}51'07''$ East, 20.00 feet to the point of curvature of a 70.00 foot radius curve the center of which lies to the southwest; Thence northwesterly, 100.23 feet along the arc of said curve having a chord bearing North $35^{\circ}10'07''$ West, 91.89 feet; Thence North $34^{\circ}49'15''$ East, 50.28 feet; Thence North $89^{\circ}50'40''$ East, 50.46 feet; Thence south $10^{\circ}23'54''$ East, 138.27 feet to the point of beginning. Containing 7,795 square feet or 0.18 acres of land.

A-1EX TO CO-1 (Outlot 10)

All that part of the Northeast quarter of the Southwest quarter of Section 36, Town 9 North, Range 9 East, Town of Vienna, Dane County, Wisconsin, described as follows: Commencing at the south quarter corner of said section 36; Thence North $89^{\circ}41'16''$ West, along the south line of said southwest quarter, 1325.78 feet to the southeast corner of Nature Valley Conservation Neighborhood Subdivision; Thence North $00^{\circ}37'43''$ West, along the east line of said subdivision, 1217.66 feet to the point of beginning of the lands hereinafter described;

Thence continuing North $00^{\circ}37'43''$ West, along said east line, 1029.00 feet; Thence South $42^{\circ}46'30''$ East, 567.81 feet; Thence South $49^{\circ}01'49''$ East, 52.48 feet; Thence South $48^{\circ}24'35''$ West, 143.46 feet; Thence South $39^{\circ}34'00''$ East, 180.13 feet; Thence South $70^{\circ}32'23''$ East, 238.86 feet; Thence South $30^{\circ}34'09''$ East, 131.05 feet; Thence North $86^{\circ}10'44''$ West, 557.26 feet; Thence North $10^{\circ}23'54''$ West, 59.59 feet; Thence South $89^{\circ}22'17''$ West, 119.18 feet; Thence South $00^{\circ}37'43''$ East, 169.53 feet to a point on the arc of a 70.00 foot radius curve the center of which lies to the southeast; Thence southwesterly, 56.67 feet along the arc of said curve having a chord bearing South $29^{\circ}02'40''$ West, 55.14 feet to the point of beginning. Containing 279,518 square feet or 6.42 acres of land.

A-1EX TO CO-1 (Outlot 11)

All that part of the Southeast quarter of the Southwest quarter and part of the Northeast quarter of the Southwest quarter of Section 36, Town 9 North, Range 9 East, Town of Vienna, Dane County, Wisconsin, described as follows: Commencing at the South quarter corner of section 36; Thence North $89^{\circ}41'16''$ West, along the south line of said southwest quarter, 1325.78 feet to the southeast corner of Nature Valley Conservation Neighborhood Subdivision; Thence North $00^{\circ}37'43''$ West, 531.18 feet to a point on the north line of Meadow Side Lane and the point of beginning of the lands hereinafter described; Thence continuing North $00^{\circ}37'43''$ West, along said east line, 686.48 feet to a

point on the arc of a 70.00 foot radius curve the center of which lies to the northeast; Thence southeasterly, 59.16 feet along the arc of said curve having a chord bearing South 18°21'33"East, 57.41 feet to a point of compound curvature with a 40.00 foot radius curve the center of which lies to the southwest; Thence southeasterly, 33.81 feet along the arc of said curve having a chord bearing South 18°21'33"East, 32.81 feet to the point of tangency; Thence South 05°50'11"West, 105.41 feet the point of curvature of a 633.00 foot radius curve the center of which lies to the east; Thence southerly, 71.60 feet along the arc of said curve having a chord bearing South 02°36'42"West, 71.56 feet to the point of tangency; Thence South 00°37'43"East, 268.06 feet to the point of curvature of a 633.00 foot radius curve the center of which lies to the east; Thence southerly, 44.35 feet along the arc of said curve having a chord bearing south 02°38'09"East, 44.34 feet to the point of tangency; Thence South 04°38'34"East, 102.64 feet to the point of curvature of a 15.00 foot radius curve the center of which lies to the northwest; Thence southwesterly, 20.93 feet along the arc of said curve having a chord bearing South 35°19'52"West, 19.27 feet to the point of tangency; Thence South 75°18'14"West, 9.73 feet to the point of beginning. Containing 10,134 square feet or 0.23 acres of land.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

RECORDING OF AN APPROVED PLAT REQUIRED

The above listed description(s) is/are intended to describe land for which a subdivision plat conforming to all applicable provisions of Chapter 236 of Wisconsin Statutes and Chapter 75, Dane County Code of Ordinances will be prepared for approval and recorded. This amendment will become effective, if within two years of its approval by Dane County, a plat that described the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the plat will cause this amendment to be null and void. A copy of the recorded plat shall be submitted to Dane County Zoning.**

STATE OF WISCONSIN REZONING CONVERSION FEE REQUIRED

Pursuant to Section 91.48(1)(b) of Wisconsin Statutes, the above described land(s) being rezoned out of a certified farmland preservation zoning district is/are subject to a conversion fee equal to three times the per acre value, for the year in which the land is rezoned, of the highest value category of tillable cropland in the town in which the rezoned land is located, as specified by the Wisconsin department of revenue under Section 73.03 (2a) Wisconsin Statutes. This amendment will become effective, if within 90 days of its approval by Dane County, the applicant provides payment of the conversion fee to the Dane County Treasurer in the amount specified under the applicable state statutes. **Failure to pay the rezoning conversion fee in the allotted time period will cause the rezone to be null and void.**

DANE COUNTY REZONING CONVERSION FEE REQUIRED

Pursuant to Section 12.05(1)(e) Dane County Code of Ordinances, the above described land(s) being rezoned out of the A-1EX Exclusive Agriculture District or A-3 Agriculture District is/are subject to a Farmland Preservation Zoning conversion fee equal to \$55 per acre. This amendment will become effective, if within 90 days of its approval by Dane County, the applicant provides payment of the conversion fee to the Dane County Treasurer in the amount specified in Section 12.05(1)(e) Dane County Code of Ordinances. **Failure to pay the rezoning conversion fee in the allotted time period will cause the rezone to be null and void.**

GRANT

DELAYED EFFECTIVE DATE