

DANE COUNTY ORDINANCE AMENDMENT NO: 9878

Internal Tracking Number: RECU25365

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

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Windsor be amended to include in the C-1 Commercial, CO-1 Conservancy, and A-4 Small Lot Agriculture Zoning Districts(s) following described land:

PETITION NUMBER: 9878

Part of Section 29, Town of Windsor described as follows:

A-1EX and A-3 to A-4

A parcel of land located in the SE1/4 and SW1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the southeast corner of said Section 29; thence S89°43'55"W, 551.13 feet to the point of beginning; thence continuing S89°43'55"W, 938.12 feet; thence N01°12'18"W, 1242.16 feet; thence N89°43'00"E, 881.30 feet to a point of curve; thence southeasterly on a curve to the right which has a radius of 360.00 feet and a chord which bears S17°31'11"E, 202.26 feet; thence S01°12'18"E, 1049.21 feet to the point of beginning. Containing 1,161,742 square feet (26.670 acres).

A-1EX to A-4

A parcel of land located in the NE1/4 and SE1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the southeast corner of said Section 29; thence S89°43'55"W, 62.99 feet to the point of beginning; thence continuing S89°43'55"W, 408.13 feet; thence N01°12'18"W, 1050.52 feet to a point of curve; thence northwesterly on a curve to the left which has a radius of 440.00 feet and a chord which bears N14°11'11"W, 197.68 feet; thence N61°57'09"E, 448.15 feet; thence N10°29'55"W, 44.00 feet; thence N12°00'12"W, 310.19 feet; thence N14°10'29"W, 390.51 feet; thence N08°45'26"W, 181.72 feet; thence N06°14'01"W, 242.68 feet; thence S86°03'18"E, 209.57 feet; thence S31°44'45"E, 67.01 feet; thence S04°03'23"E, 476.79 feet; thence S89°00'30"W, 65.38 feet; thence S01°04'02"E, 181.72 feet; thence N89°00'30"E, 80.28 feet; thence S01°02'28"E, 376.39 feet; thence S01°49'17"W, 500.61 feet; thence S01°02'28"E, 991.95 feet to the point of beginning. Containing 760,031 square feet (17.448 acres).

A-1EX and A-3 to CO-1

A parcel of land located in the NE1/4, SE1/4, NW1/4 and SW1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the south quarter corner of said Section 29; thence N89°43'55"E, 1159.85 feet; thence N01°12'18"W, 1242.16 feet to the point of beginning; thence continuing N01°12'18"W, 355.23 feet; thence N89°49'39"E, 577.89 feet; thence S41°50'00"E, 419.82 feet to a point of curve; thence southeasterly on a curve to the right which has a radius of 360.00 feet and a chord which bears S37°50'02"E, 50.22 feet; thence S89°43'00"W, 881.30 feet to the point of beginning. Containing 259,409 square feet (5.955 acres).

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A-1EX and A-3 to CO-1

A parcel of land located in the NE1/4 and SE1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the southeast corner of said Section 29; thence S89°43'55"W, 62.99 feet; thence N01°02'28"W, 991.95 feet; thence N01°49'17"E, 91.90 feet; thence N10°29'55"W, 373.35 feet to the point of beginning; thence S61°57'09"W, 448.15 feet to a point of curve; thence northwesterly on a curve to the left which has a radius of 440.00 feet and a chord which bears N34°30'02"W, 112.32 feet; thence N41°50'00"W, 413.07 feet; thence N49°04'32"E, 150.02 feet; thence N17°31'27"E, 300.00 feet; thence N67°21'31"E, 393.10 feet; thence S14°10'29"E, 390.51 feet; thence S12°00'12"E, 310.19 feet; thence S10°29'55"E, 44.00 feet to the point of beginning. Containing 407,702 square feet (9.360 acres).

A-3 to C-1

A parcel of land located in the NE1/4 and NW1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the south quarter corner of said Section 29; thence N89°43'55"E, 1159.85 feet; thence N01°12'18"W, 1597.39 feet to the point of beginning; thence continuing N01°12'18"W, 997.13 feet; thence S88°13'26"E, 231.94 feet to a point of curve; thence southeasterly on a curve to the right which has a radius of 25.00 feet and a chord which bears S44°14'43"E, 34.72 feet; thence S00°16'00"E, 416.21 feet to a point of curve; thence southeasterly on a curve to the left which has a radius of 440.00 feet and a chord which bears S21°03'00"E, 312.25 feet; thence S41°50'00"E, 342.90 feet; thence S89°49'39"W, 577.89 feet to the point of beginning. Containing 313,440 square feet (7.196 acres).

A-3 to C-1

A parcel of land located in the NE1/4 of the SE1/4 of Section 29, T9N, R10E, Town of Windsor, Dane County, Wisconsin to-wit: Commencing at the south quarter corner of said Section 29; thence N89°43'55"E, 1159.85 feet; thence N01°12'18"W, 2594.52 feet; thence S88°13'26"E, 326.03 feet to the point of beginning; thence continuing S88°13'26"E, 166.37 feet; thence N89°49'39"E, 649.98 feet; thence S06°14'01"E, 218.49 feet; thence S08°45'26"E, 181.72 feet; thence S67°21'31"W, 393.10 feet; thence S17°31'27"W, 300.00 feet; thence S49°04'32"W, 150.02 feet; thence N41°50'00"W, 349.75 feet to a point of curve; thence northwesterly on a curve to the right which has a radius of 360.00 feet and a chord which bears N21°03'00"W, 255.48 feet; thence N00°16'00"W, 411.56 feet to a point of curve; thence northeasterly on a curve to the right which has a radius of 25.00 feet and a chord which bears N45°45'17"E, 35.98 feet to the point of beginning. Containing 564,631 square feet (12.962 acres).

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.

1. Billboards shall be prohibited in the in the C-1 Zoning District as identified under the Town of Windsor Comprehensive Plan (page74) and noted in the Windsor Crossing Master Plan.

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DEED RESTRICTION REQUIRED

This amendment will be effective if, within 90 days of its adoption by Dane County, the owner or owners of the land record the following restriction(s) on said land:

1. The C-1 Zoning District shall be deed restricted to limit the land uses to the following:
 - a. Retail and service uses including grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size
 - b. Self service laundries and dry cleaning establishments
 - c. Warehousing and storage incidental to a permitted use
 - d. Utility services
 - e. Rooming and boarding houses
 - f. Medical, dental and veterinary clinics
 - g. Banks, offices, office buildings and condominium office buildings not more than (2) floors to office space
 - h. Bakeries (non-industrial)
 - i. Bicycle sales and service
 - j. Rental businesses – except for motor vehicles and construction machinery and equipment
 - k. Sales and repair of lawn and garden equipment
 - l. Outdoor games (not lighted)
 - m. The conditional uses listed under the C-1 Zoning District may be acceptable if found to meet the standards as described under the conditional use permit process.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. **Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.**

GRANT AS MODIFIED

DELAYED EFFECTIVE DATE

DANE COUNTY ORDINANCE AMENDMENT NO: 10200

Internal Tracking Number: RECU25707

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

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Deerfield be amended to include in the A-2(2) Agricultural and RH-3 Rural Homes district(s) following described land:

PETITION NUMBER: 10200

Part of Section 28, Town of Deerfield described as follows:

***A-1 EX to RH-3**

Part of the NW ¼ of the SW ¼ of Section 28, T.7N., R.12E., Town of Deerfield, Dane County, Wisconsin, described as follows: Commencing at the SW corner of Dane County Certified Survey Map number 6110; thence N02°15'53"E along the West line of said survey, 213 feet to the point of beginning; thence N62°27'32"W, 68 feet; thence N11°21'16"E, 213 feet; thence N15°10'56"E, 124 feet; thence S02°15'53"W, 573 feet to the point of beginning. Containing 10,400 square feet more or less.

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

Parts of the NW ¼ of the SW ¼ of Section 28 and the NE ¼ of the SE ¼ of Section 29, all in T.7N., R.12E., Town of Deerfield, Dane County, Wisconsin, described as follows: Commencing at the Southwest corner of Dane County Certified Survey Map number 6110; thence N02°15'53"E along the West line of said survey, 213 feet; thence N62°27'32"W, 68 feet to the point of beginning; thence continue N62°27'32"W, 454 feet; thence N00°48'55"E, 179 feet; thence N82°23'24"E, 386 feet; thence S65°43'26"E, 151 feet; thence S42°37'40"W, 68 feet; thence S15°10'56"W, 124 feet; thence S11°21'16"W, 213 feet to the point of beginning. Containing 3.1 acres more or less.

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.

***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.**

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***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.**

DEED RESTRICTION REQUIRED

This amendment will be effective if within 90 days of its adoption by Dane County the owner or owners of the land record the following restriction(s) on said land:

1. A deed restriction shall be recorded on parcel numbers 0712-283-9000-2, 0712-283-8502-7, 0712-282-9101-1, 0712-294-8500-6, and 0712-294-8000-1 to prohibit residential development on the remaining A-1 Exclusive land. The housing density rights have been exhausted on the original farm.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. **Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.**

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. This amendment will become effective, if within 90 days of its approval by Dane County, a certified survey map that describes the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the survey will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**

GRANT AS MODIFIED

DELAYED EFFECTIVE DATE

DANE COUNTY ORDINANCE AMENDMENT NO: 10236

Internal Tracking Number: RECU25749

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

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Berry be amended to include in the A-2(2) Agricultural and A-4 district(s) following described land:

PETITION NUMBER: 10236

Part of Section 31, Town of Berry described as follows:

A-1EX TO A-2(2) LOT 2

A parcel of land located in the NW ¼-SW ¼ and the SW ¼-SW ¼, Section 31, Town 8 North, Range 7 East, Town of Berry, Dane County, Wisconsin, more particularly described as follows: Commencing at the West ¼ corner of said Section 31; thence N 87°36'36" E, 213.51 feet along the E-W ¼ line of said Section 31; thence S 35°17'00" E, 782.33 feet to the point of beginning; thence S 75°25'58" E, 181.10 feet; thence S 06°04'38" W, 107.81 feet; thence S 86°05'21" E, 134.53 feet; thence S 66°03'26" E, 112.81 feet; thence S 08°54'00" E, 521.35 feet to a point in the centerline of County Road 'KP'; thence Northwesterly, 70.61 feet along the arc of a curve to the left having a radius of 800.00 feet, said arc also being the centerline of County Road 'KP'; thence N 08°54'00" W, 322.04 feet; thence N 86°21'00" W, 334.13 feet; thence N 04°34'17" W, 369.99 feet to the point of beginning, containing 2.943 acres.

A-1EX TO A4 LOT 1

A parcel of land located in the NW ¼-SW ¼ and the SW ¼-SW ¼, Section 31, Town 8 North, Range 7 East, Town of Berry, Dane County, Wisconsin, more particularly described as follows: Beginning at the West ¼ corner of said Section 31; thence N 87°36'36" E, 213.51 feet along the E-W ¼ line of said Section 31; thence S 35°17'00" E, 782.33 feet; thence S 04°34'17" E, 369.99 feet; thence S 86°21'00" E, 334.13 feet; thence S 08°54'00" E, 322.04 feet to a point in the centerline of County Road 'KP'; thence Northwesterly, 161.48 feet along the arc of a curve to the left having a radius of 800.00 feet, said arc also being the centerline of County Road 'KP'; thence S 87°47'00" W, 714.44 feet along the centerline of County Road 'KP'; thence N 88°48'00" W, 150.81 feet along the centerline of County Road 'KP'; thence N 02°13'10" W, 1353.43 feet along the West line of the SW ¼ of said Section 31 to the point of beginning, containing 19.580 acres.

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.

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CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. This amendment will become effective, if within 90 days of its approval by Dane County, a certified survey map that describes the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the survey will cause the rezone to be null and void. Two copies of the recorded survey 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

DANE COUNTY ORDINANCE AMENDMENT NO: 10241

Internal Tracking Number: RECU25754

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

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Albion be amended to include in the C-2 Commercial district(s) following described land:

PETITION NUMBER: 10241

Part of Section 27, Town of Albion described as follows:

A-1EX TO C-2

Part of the E 1/2 of the SE 1/4 of Section 27, T.5N., R.11E., Town of Albion, Dane County, Wisconsin, described as follows: Commencing at the the E 1/4 corner of Section 27; thence South, 695.35 feet to the Southeast corner of Certified Survey Number 11188, and the point of beginning; thence continue South, 174 feet to the point of curvature of a 491 foot radius curve to the right, having a long chord bearing S20°W, 329.7 feet; thence Southwesterly along the arc of said curve, 340 feet more or less to its point of tangency thereof; thence S39°57'W along the centerline of Old Highway 73, 466 feet; thence N00°45'E, 846.4 feet to the Southwest corner of certified survey number 11188; thence S89°15'E, 405 feet to the point of beginning. The above described containing 4.5 acres more or less to the centerlines of Goede Road and Old Highway 73.

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.

2. A cross access easement shall be recorded for all lots.
3. There shall be no permanent storage of vehicles on the property. There shall be no heavy truck traffic produced from the property that uses Goede Road.
3. The owner shall follow all recommendations from MSA letter dated August 3, 2010.

DEED NOTICE REQUIRED

This amendment will be effective if within 90 days of its adoption by Dane County the owner or owners of the land record the following restriction(s) on said land:

1. The C-2 Zoning District shall be deed restricted to limit the land uses to the following:
 - a. Sales, rental or leasing of new and used motor vehicles
 - b. Sales, service and rental of recreational equipment
 - c. Sales, service, repairs, storage, rental and leasing of new and used contractor's machinery and equipment
 - d. Truck and bus terminals
 - e. Parking or storing of motor vehicles

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- f. Sales and storage of lumber and building material
- g. Retail and service uses
- h. Sales and repair of lawn and garden equipment
- i. Bicycle sales and service
- j. Medical, dental and veterinary clinics
- k. Banks, offices, office buildings and condominium office buildings
- l. Bakeries
- m. Printing plants
- n. Laundries and dry cleaning plants
- o. Woodworking shops
- p. Machine shops
- q. Rental businesses
- r. Distribution centers
- s. Wholesale businesses
- t. Off-site parking of motor vehicles
- u. General, mechanical and landscape contracting businesses
- v. Storage, maintenance and repairs of maximum of construction equipment necessary for the operation of a general, mechanical or landscape contracting business
- w. Outside storage of materials or supplies used by a contractor
- x. School bus and motor coach transportation businesses
- y. Single family residence for an owner of the business or a caretaker
- z. The conditional uses listed under the C-2 Zoning District are limited to drive-in establishments, auto laundries, taverns, communication towers, and governmental uses, if found to meet the standards as described under the conditional use permit process.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. **Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.**

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. This amendment will become effective, if within 90 days of its approval by Dane County, a certified survey map that describes the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the survey will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**

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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.**

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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 AS MODIFIED

DELAYED EFFECTIVE DATE