

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11820**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.200(4) shall be amended as follows:

Town Map: Town of Albion

Location: Section 9

Zoning District Boundary Changes

RM-16 to HC Heavy Commercial

Being a part of Lot 1, Certified Survey Map 14192, recorded in Vol. 96 of Certified Survey Maps, page \ 110, as #5219636, in the Town of Albion, Dane County, Wisconsin, described as follows:

Commencing at the northwest corner of the Northwest 1/4 of Section 9 of Township 5 North, Range 12 East in said Town of Albion; thence South 00°20'12" West along the west line of said Northwest 1/4, 748.53 feet; thence South 89°38'48" East, 52.09 feet to the east right of way line of County Trunk Highway "A"; thence North 00°28'29" East along said east right of way line, 313.93 feet to the Point of Beginning; Thence continuing North 00°28'29" East, 304.00 feet; thence North 41 °55'27" East, 83.57 feet to the south right of way line of United States Highway "51" and a point on a curve; thence northeasterly 414.05 feet along the arc of said curve to the right, whose radius is 11372.38 feet and whose chord bears North 85°49'13" East, 414.03 feet; thence North 81 °57'57" East along said south right of way line, 209.52 feet to the westerly right of way line of Interstate Highway "39" - "90"; thence the following courses along said westerly right of way line: South 87°52'58" East, 27.72 feet; South 78°32'28" East, 212.12 feet; South 66°23'57" East, 205.42 feet; South 44°59'54" East, 273.02 feet; South 23°17'14" East, 128.00 feet; Thence North 89°33'25" West, 1346.27 feet to the Point of Beginning. Contains approximately 10.81 acres.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.101(8)(d) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

1. Owner shall obtain required access permit(s) from the Dane County Highway Department prior to development of the property.

2. Owner shall obtain erosion control and stormwater management permits from Dane County Land & Water Resources Department prior to development of the property.

3. A 2-lot Certified Survey Map shall be prepared and recorded to effectuate the land division of the property and creation of a 10.8 acre HC zoned parcel and remnant ~19.8 RM-16 zoned parcel.

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 on said land:

A deed restriction on the HC-zoned property that states the following:

- a. Commercial uses of the property are limited exclusively to the following:
 - Indoor sales
 - Indoor storage and repair
 - Office uses
 - Outdoor sales, display or repair
 - Utility services
 - Trailer repair or maintenance service
- b. The installation of off-premises (billboard) signs is prohibited.
- c. Development of the site shall conform to the submitted site plan, operations plan, and lighting plan. Lighting shall be limited to a maximum Kelvin temperature of 3500K.
- d. Development of the site shall comply with any town of Albion requirements under the town's commercial design review ordinance, as determined by the town. If there are conflicts between the submitted site plan and requirements of the town ordinance, the requirements of the town ordinance shall control.
Site plan excerpt

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. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the

certified survey map. **Failure to submit the final certified survey within the 90 day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**