AMENDED
Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11521

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 Middleton   **Location**:   Section 5

Zoning District Boundary Changes

LC-1 and AT-5 to LC-1
A part of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 7 North, Range 8 East, Town of Middleton, Dane County, Wisconsin, being more particularly described as follows: COMMENCING at the West 1/4 corner of said Section 5; thence, along the West line of said Southwest 1/4, South 00°16'45" West, 953.26 feet to a point; thence South 89°43'15" East, 180.01 feet to the most Northerly corner of Lot 1 of Certified Survey Map No. 9793 and the POINT OF BEGINNING, being a point on a curve, being concave Northwesterly, having a radius of 1406.17 feet and a chord which bears North 27°04'16" East, 237.47 feet; thence Northeasterly, 237.75 feet along the arc of said curve through a central angle of 09°41'15"; thence South 88°43'15" East, 205.36 feet; thence South 00°16'45" West, 275.00 feet; thence North 88°43'15" West, 312.40 feet to a point on the boundary of aforesaid Lot 1; thence, along said boundary, North 00°16'45" East, 63.02 feet to the POINT OF BEGINNING; containing 73,770 square feet or 1.694 acres, more or less.

LC-1, UT-R, RR-4 and AT-5 to RR-8
Lot 1 of Certified Survey Map No. 9793 and a part of the NW 1/4 of the SW 1/4 and a part of the SW 1 /4 of the SW 1/4 of Section 5; a part of the NE 1/4 of the SE 1/4 and a part of the SE 1 /4 of the SE 1/4 of Section 6; all of Township 7 North, Range 9 East, Town of Middleton, Dane County, Wisconsin, being more particularly described as follows: BEGINNING at the Southeast corner of said Section 6; thence, along the South line of said Southeast 1/4 of Section 6, North 89°29'20" West, 33.00 feet to a point on a line lying 33.00 feet West, as measured at right angles and parallel to, the East line of said Southeast 1/4 of Section 6; thence, along said parallel line, North 00°16'45" East, 1318.25 feet to a point on the South line of said Northeast 1/4 of the Southeast 1/4 of Section 6; thence, along said South line, North 89°25'36" West, 576.00 feet to a point on the centerline of Rocky Dell Road; thence, along said centerline, South 89°48'08" East, 279.50 feet to a point on a curve, being concave Northwesterly, having a radius of 390.00 feet and a chord which bears North 64°20'41" East, 335.22 feet; thence, along said centerline, Northeasterly 346.50 feet along the arc of said curve through a central angle of 50°54'18" to the Point of Tangency thereof;

thence, continuing along said centerline, North 38°56'54" East, 44.88 feet to the Northwest corner of Certified Survey Map 9793, lying on the West line of said Southwest 1/4 of aforesaid Section 5; thence, along said West line and West boundary of said Certified Survey Map 9793, South 00°16'45" West, 64.02 feet to a point on the Southeasterly right-of-way line of Rocky Dell Road; thence, along said Southeasterly right-of-way line, North 38°56'54" East, 130.43 feet to the beginning of a tangent curve, being concave Northwesterly, having a radius of 1406.17 feet and a chord which bears North 35°24'18" East, 171.21 feet; thence, continuing along said Southeasterly right-of-way line, Northeasterly, 171.32 feet along the arc of said curve through a central angle of 06°58'50" to the most Northerly corner of aforesaid Lot 1; thence, along the boundary of Lot 1 of said Certified Survey Map 9793, South 00°16'45" West, 63.02 feet; thence South 89°43'15" East, 312.40 feet; thence South 00°16'45" West, 160.91 feet; thence South 45°16'45" West, 130.67 feet to a point on the East line of said Lot 1; thence, along said East line and its Southerly extension, South 00°16'45" West, 583.89 feet; thence North 89°43'15" West, 400.01 feet to a point on the West line of said Southwest 1/4 of Section 5; thence, along said West line, South 00°16'45" West, 782.94 feet to the POINT OF BEGINNING, containing 412,399 square feet or 9.467 acres, more or less.

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. Development of the property shall be completed in accordance with plans as approved by the town of Middleton.
2. Commercial use shall not be expanded on the balance of the property, and subject to the closing of the property purchase.

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:

A deed restriction shall be recorded on the proposed LC parcel prohibiting: outdoor storage; demolition materials; dumping grounds; communication towers; outdoor signage (except on building); retail showroom; and prohibition on Light Industrial as a primary use. Any lighting must be dark sky compliant lighting.

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.