

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11101**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Christiana

Location: Section 2

Zoning District Boundary Changes

C-2 to C-2

Lot 4 of Certified Survey Map No. 11614, located in part of the NE ¼ of the SE ¼ of Section 2, together with part of the NW ¼ of the SW ¼, Section 1, all in T6N, R12E, Town of Christiana, Dane County, Wisconsin.

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.

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:

The deed restriction found under ROD document #4138178 shall be amended to the following restrictions:

1. The property shall be limited exclusively to the following land uses:
Contractor's offices and indoor storage of contractor's equipment, vehicles, and construction materials. Units #1 through #7 and #9 may be used for the indoor storage of personally owned items. Unit #8 may be used for the rental of seasonal indoor storage, but will not be made into individual condominium units. The building (Unit #8) will remain with six overhead doors on the east side and two overhead doors on the west side. There may be a total of two walk-in service door added.
2. Outside storage of materials, equipment, bulk fuel tanks, or vehicles is prohibited except for the specified areas as shown on the Site Development Plan for the benefit of Unit #7, having the dimensions of 100'x40' and 30'x80'. Business vehicles may be stored on the premises in the evening and during non-business hours.
3. The property shall be allowed to add one (1) more building to make a total of (9) units. There shall be a new Site Development Plan in place. After the ninth

unit, the construction of additional buildings or expansion of buildings is prohibited, but the remodeling of the interior of existing structures is permitted as long as the footprint of the building is not expanded.

4. There shall be a maximum of nine (9) condominium units located on the property. The ownership units shall comply with boundary spaces as designated in the Site Development Plan. Unit spaces shall not be further divided or partitioned off to create separate ownership rental spaces.

5. With respect to the nine condominium units, there shall be no more than nine owners of those none units. Further, there shall be no more than nine businesses in operation at any time within those nine units. "Business" is defined as an ongoing commercial concern operating out of one or more units. Leasing of units shall be permitted provided the land use of the tenant is consistent with the deed restrictions.

6. All Deed Restrictions shall terminate in the event that the subject property is annexed in the future to the Village of Cambridge, WI.

7. The Board of Directors or "Manager" of the JCL Condominium Association and Jolly Rogers of Cambridge, LLC, have entered into an agreement with the Town of Christiana and Dane County acknowledging that occupants of Unit #1 are in violation of the recorded deed restrictions for the property. The coffee warehousing business found within Unit #1 may remain lawfully in operation at said Unit #1 for so long as the current coffee warehousing business remains an ongoing concern. Upon termination or sale of said business, Unit #1 shall no longer be permitted to house any business non-compliant with the generally applicable deed restrictions.

8. The Board of Directors or "Manager" of the JCL Condominium Association and the Benno C Fischer Trust shall enter into an agreement with the Town of Christiana and Dane County that upon sale of said Unit(s) to a party whose ownership is not primarily controlled by Ben Fischer, Unit #5 and #6 as applicable shall no longer be permitted to house any business non-compliant with the generally applicable deed restrictions.

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.