

Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 10754

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 Windsor

Location: Section 28

Zoning District Boundary Changes

A-3 to R-2

Part of the Northwest ¼ of the Southeast ¼ and part of the Southwest ¼ of the Southeast ¼, Section 28; part of the Northwest ¼ of the Northeast ¼, part of the Southwest ¼ of the Northeast ¼, and part of the Northeast ¼ of the Northwest ¼, Section 33; all in T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006 and the point of beginning; thence continuing S00°54'28"E, 2054.26 feet along the West line of Terrace Park; thence S00°16'21"W, 14.16 feet; thence S70°27'48"W, 151.70 feet; thence S41°39'54"W, 75.23 feet; thence S85°24'11"W, 255.65 feet; thence S01°52'14"E, 39.16 feet; thence S03°50'57"E, 280.99 feet; thence S80°35'56"W, 121.87 feet; thence S09°24'04"E, 118.92 feet; thence along a curve to the left with a radius of 167.00 feet and a long chord bearing and distance of S18°51'00"E, 54.83 feet; thence along a curve to the left with a radius of 15.00 feet and a long chord bearing and distance of S76°24'08"E, 22.33 feet; thence N55°01'36"E, 7.87 feet; thence along a curve to the right with a radius of 196.00 feet and a long chord bearing and distance of N73°42'27"E, 128.58 feet; thence N08°06'19"E, 95.71 feet; thence S86°50'36"E, 343.72 feet to the West line of CSM No. 5357; thence S00°16'21"W, 780.93 feet along said West line and West line of Lot 1, Terrace Park-Park Addition to the South line thereof; thence S80°03'22"E, 4.46 feet along said South line to the West line of Revere Trails; thence S00°04'16"W, 394.59 feet along said West line; thence S89°43'57"W, 201.02 feet; thence N00°04'25"E, 96.58 feet; thence along a curve to the left with a radius of 334.00 feet and a long chord bearing and distance of N04°00'19"W, 47.52 feet; thence N08°05'03"W, 202.26 feet; thence along a curve to the right with a radius of 466.00 feet and a long chord bearing and distance of N04°00'19"W, 66.29 feet; thence N00°04'25"E, 10.42 feet; thence S86°41'18"W, 94.33 feet; thence N79°56'42"W, 198.69 feet; thence S82°43'12"W, 211.54 feet; thence S88°15'17"W, 258.87 feet; thence S87°14'45"W, 187.68 feet; thence N63°34'48"W, 190.55 feet; thence N49°00'24"E, 162.38 feet; thence along a curve to the right with a radius of 183.00 feet and a long chord bearing and distance of N47°36'08"W, 66.44 feet; thence S49°00'24"W, 156.36 feet; thence N25°56'58"W, 158.88 feet; thence N04°08'20"E, 169.23 feet; thence N20°04'43"E, 217.13 feet; thence N22°48'19"E, 148.57 feet; thence N34°04'20"E, 255.59 feet; thence N60°55'45"E, 157.25 feet; thence N13°13'44"W, 16.30 feet; thence N87°49'55"W, 86.01 feet; thence N76°06'07"W, 324.66 feet; thence S59°21'44"W, 44.96 feet; thence S33°48'22"W, 154.02 feet; thence S47°33'09"W, 127.44 feet; thence S63°46'56"W, 153.27 feet; thence N08°28'01"W, 154.06 feet; thence along a curve to the right with a radius of 333.00 feet and a long chord bearing and distance of S73°31'01"W, 20.20 feet; thence S08°28'01"E, 149.93 feet; thence S88°28'42"W, 380.93 feet; thence S86°32'55"W, 139.96 feet; thence along a curve to the left with a radius of 760.00 feet and a long chord bearing and distance of N23°33'56"W, 523.07 feet to the North line of said Northwest

¼; thence N89°56'41"E, 1204.80 feet along said North line to the West line of said Southeast ¼; thence N01°00'59"W, 175.61 feet along said West line; thence S76°40'59"E, 117.73 feet; thence S13°53'53"W, 139.97 feet; thence S76°46'12"E, 52.75 feet to the North line of said Northeast ¼; thence N89°46'15"E, 13.35 feet along said North line; thence N06°32'30"E, 214.42 feet; thence N03°35'31"E, 666.90 feet; thence S61°47'03"W, 252.20 feet to said West line; thence N01°00'59"W, 231.61 feet along said West line; thence N61°47'03"E, 46.28 feet; thence along a curve to the left with a radius of 15.00 feet and a long chord bearing and distance of N19°48'02"E, 20.07 feet; thence along a curve to the right with a radius of 433.00 feet and a long chord bearing and distance of N13°52'40"W, 125.10 feet; thence S88°54'55"W, 20.45 feet to said West line; thence N01°00'59"W, 167.22 feet along said West line; thence continuing N01°00'59"W, 606.03 feet along said West line to the South line of CSM No. 11197; thence N89°52'23"E (recorded as N90°00'00"E), 560.92 feet along said South line; thence N00°07'37"W (recorded as N00°00'00"W), 670.07 feet along the East line of said CSM No. 11197 to the South right-of-way line of Windsor Road; thence N89°52'23"E, 41.66 feet along said right-of-way line to the Westerly line of CSM No. 11425; thence S00°16'34"E (recorded as South), 140.00 feet along said Westerly line; thence continuing along said Westerly line S17°50'27"E (recorded as S17°47'04"E), 251.57 feet; thence S47°14'18"W, 161.17 feet to the East line of said CSM No. 11197; thence S00°07'37"E (recorded as S00°07'37"E), 37.15 feet; thence S56°12'15"E, 8.06 feet; thence S73°10'17"E, 64.69 feet; thence S00°55'12"E, 139.60 feet; thence along a curve to the left with a radius of 317.00 feet and a long chord bearing and distance of S89°48'22"E, 11.75 feet; thence N89°07'55"E, 129.25 feet; thence N00°55'12"W, 139.89 feet to the South line of said CSM No. 11425; thence N89°07'23"E (recorded as N89°15'27"E), 553.23 feet along said South line and the South line of said CSM No. 7006 to the Southeast corner of said CSM No. 7006 and the point of beginning; Containing 103.4 acres.

A-1EX to R-2

Part of the Northeast ¼ of the Southwest ¼ and part of the Southeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S84°37'39"W, 1420.68 feet to the Southwest corner of CSM No. 11197 and the point of beginning; thence N89°52'23"E (recorded as N90°00'00"E), 91.08 feet along the South line of said CSM No. 11197 to the East line of said Southwest ¼; thence S01°00'59"E, 606.03 feet along said East line; thence continuing along said East line S01°00'59"E, 167.22 feet; thence S88°54'55"W, 80.63 feet; thence N11°16'38"W, 223.53 feet; thence N00°52'05"W, 258.27 feet; thence N67°07'32"W, 66.61 feet; thence S30°37'42"W, 121.77 feet; thence S40°45'04"W, 113.64 feet; thence N44°24'20"W, 140.00 feet; thence along a curve to the right with a radius of 533.00 feet and a long chord bearing and distance of S47°12'25"W, 30.00 feet; thence S41°10'49p"E, 140.00 feet; thence S54°12'09"W, 126.27 feet; thence S64°58'04"W, 126.27 feet; thence S19°38'58"E, 37.25 feet; thence N88°59'17"E, 205.75 feet; thence S75°05'55"E, 91.50 feet; thence S38°47'38"E, 57.45 feet; thence S22°16'09"W, 98.09 feet; thence along a curve to the right with a radius of 253.00 feet and a long chord bearing and distance of S47°58'24"E, 171.05 feet; thence S28°12'57"E, 64.52 feet; thence along a curve to the left with a radius of 15.00 feet and a long chord bearing and distance of S73°12'57"E, 21.21 feet; thence N61°47'03"E, 102.08 feet to said East line; thence S01°00'59"E, 231.61 feet along said East line; thence S61°47'03"W, 95.51 feet; thence S60°15'26"W, 92.60 feet; thence S36°25'34"W, 209.73 feet; S15°54'38"W, 80.00 feet; thence S06°35'38"W, 185.07 feet; thence S12°27'02"E, 77.61 feet; thence N78°24'34"E, 118.19 feet; thence N88°59'27"E, 149.55 feet; thence S76°40'59"E, 62.27 feet to said East line; thence S01°00'59"E, 175.61 feet along said East line to the South line of said Southeast ¼; thence S89°56'41"W, 1204.80 feet along said South line to the Easterly right-of-way line of Pederson Crossing Boulevard; thence along said Easterly right-of-way line along a curve to the left with a radius of 760.00 feet and a long chord bearing and distance of N46°41'45"W, 79.60 feet; thence continuing along said right-of-way line N49°41'52"W, 80.05 feet to the East line of CSM No. 13076; thence N01°00'24"W

(recorded as N01°00'39"W), 1358.35 feet along said East line; thence S70°04'37"E, 189.28 feet; thence along a curve to the right with a radius of 183.00 feet and a long chord bearing and distance of N58°33'23"E, 140.60 feet; thence N01°00'24"W, 131.71 feet; thence N88°59'17"E, 181.81 feet; thence N87°47'04"E, 95.80 feet; thence N75°57'36"E, 79.38 feet; thence N62°25'58"E, 79.38 feet; thence N48°54'20"E, 79.38 feet; thence N35°22'43"E, 79.38 feet; thence S61°23'06"E, 130.00 feet; thence along a curve to the left with a radius of 467.00 feet and a long chord bearing and distance of N14°14'39"E, 231.82 feet; thence N00°07'37"W, 291.10 feet; thence N89°52'23"E, 224.90 feet to the West line of said CSM No. 11197; thence S00°07'37"E (recorded as S00°00'00"E), 311.45 feet along said West line to the Southwest corner of said CSM No. 11197 and the point of beginning; Containing 45.6 acres.

A-2 to R-2

Part of the Certified Survey Map No. 11197, being part of the Northwest ¼ of the Southeast ¼ and part of the Northeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S84°37'39"W, 1420.68 feet to the Southwest corner of CSM No. 11197 and the point of beginning; thence N00°07'37"W (recorded as N00°00'00"E), 311.45 feet along the West line of said CSM No. 11197; thence N89°52'23"E, 113.77 feet; thence along a curve to the right with a radius of 287.00 feet and a long chord bearing and distance of S82°08'27"E, 79.75 feet; thence N15°59'41"E, 187.14 feet; thence S89°19'42"E, 106.54 feet; thence N00°34'34"E, 191.41 feet to the South right-of-way line of Windsor Road; thence N89°52'23"E (recorded as N90°00'00"E), 298.41 feet along said right-of-way line to the East line of said CSM No. 11197; thence S00°07'37"E (recorded as S00°00'00"E), 488.80 feet along said East line; thence S47°14'18"W, 31.70 feet; thence S56°12'15"E, 28.10 feet to said East line; thence S00°07'37"E (recorded as S00°00'00"E), 144.11 feet; thence S89°52'23"W (recorded as S90°00'00"W), 652.00 feet along the South line of said CSM No. 11197 to the Southwest corner thereof and the point of beginning; Containing 7.6 acres.

A-1EX to B-1

Part of the Northeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows: Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence N84°28'51"W, 2664.14 feet to the intersection of the West line of said Southwest ¼ and the Westerly extension of the South line of CSM No. 1257 and the point of beginning; thence N89°51'27"E, 264.23 feet along said extension and South line; thence S00°11'37"E, 234.98 feet; thence S90°00'00"W, 260.91 feet to the West line of said Southwest ¼; thence N01°00'24"W, 234.36 feet along said West line to the point of beginning; Containing 1.4 acres.

A-3 to RE-1

Part of the Southwest ¼ of the Southeast ¼, Section 28; part of the Northwest ¼ of the Northeast ¼, part of the Southwest ¼ of the Northeast ¼, and part of the Northeast ¼ of the Northwest ¼, Section 33; all in T9N, R10E, Town of Windsor, Dane County, described as follows: Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence continuing S00°54'28"E, 2054.26 feet along the West line of Terrace Park; thence continuing along said West line S00°16'21"W, 14.16 feet to the point of beginning; thence continuing along said West line and the West line of CSM No. 5357 and the West line of Terrace Park-Park Addition

S00°16'21"W, 780.93 feet to the South line of said Terrace Park-Park Addition; thence S80°03'22"E, 4.46 feet along said South line to the West line of Revere Trails; thence S00°04'16"W, 394.59 feet along said West line; S89°43'57"W, 201.02 feet; thence S89°43'57"W, 322.73 feet; thence N60°06'30"W, 219.86 feet; thence N80°51'17"W, 58.91 feet; thence S70°19'36"W, 140.00 feet; thence N89°06'33"W, 91.09 feet; thence N68°47'10"W, 185.98 feet; thence S89°42'37"W, 154.41 feet; thence N00°08'07"E, 252.04 feet; thence S89°57'32"W, 994.66 feet to the East right of way line of Pederson Crossing Boulevard; thence along said right of way line N00°15'40"E, 791.77 feet; thence continuing along said right of way line along a curve to the left with a radius of 760.00 feet and a long chord bearing and distance of N01°35'17"W, 49.05 feet; thence N86°32'55"E, 139.96 feet; thence N88°28'42"E, 380.93 feet; thence N08°28'01"W, 149.93 feet; thence along a curve to the left with a radius of 333.00 feet and a long chord bearing and distance of N73°31'01"E, 20.20 feet; thence N19°30'12"E, 1378.68 feet to the West line of said Southeast ¼; thence N01°00'59"W, 161.84 feet along said West line; thence N88°54'55"E, 20.45 feet; thence along a curve to the left with a radius of 433.00 feet and a long chord bearing and distance of S13°42'01"E, 122.44 feet; thence along a curve to the right with a radius of 18.39 feet and a long chord bearing and distance of S15°10'11"W, 22.14 feet; thence S61°47'03"W, 46.28 feet; thence N33°49'41"E, 1104.48 feet; thence N00°55'12"W, 139.60 feet; thence N73°10'17"W, 64.69 feet; thence N56°12'15"W, 8.06 feet to the East line of CSM No. 11197; thence N00°07'37"W (recorded as N00°07'37"W), 37.15 feet along said East line; thence N47°14'18"E, 161.17 feet to the Westerly line of CSM No. 11425; thence S17°50'27"E, 176.65 feet along said Westerly line; thence N89°07'23"E (recorded as N89°15'27"E), 37.24 feet along the South line of said CSM No. 11425; thence S00°55'12"E, 139.89 feet; thence S89°07'55"W, 129.25 feet; thence along a curve to the right with a radius of 317.00 feet and a long chord bearing and distance of N89°48'22"W, 11.75 feet; S33°49'41"W, 1104.48 feet; thence S19°30'12"W, 1378.68 feet; thence S08°28'01"E, 154.06 feet; thence S32°00'44"E, 93.39 feet; thence S46°06'51"E, 147.44 feet; thence S37°38'47"W, 164.76 feet; thence S17°14'22"W, 132.10 feet; thence S05°59'39"E, 130.07 feet; thence S29°49'19"E, 271.52 feet; thence S83°21'47"E, 289.33 feet to the East line of said Northwest ¼; thence N00°08'30"E, 1293.22 feet along said East line to the South line of said Southeast ¼; thence N01°00'44"W, 995.28 feet along the West line of Southeast ¼; thence continuing along said West line N01°00'59"W, 161.84 feet; thence N88°54'55"E, 20.45 feet; thence along a curve to the left with a radius of 433.00 feet and a long chord bearing and distance of S13°52'40"E, 125.10 feet; thence along a curve to the to the right with a radius of 15.00 feet and a long chord bearing and distance of S19°48'02"W, 20.07 feet; thence S61°47'03"W, 46.28 feet to said West line of the Southeast ¼; thence S01°00'59"E, 995.28 feet along said West line to the North line of said Northwest ¼; thence S00°08'30"W, 1293.22 feet along the East line of said Northwest ¼; thence S83°21'47"E, 32.26 feet; thence S00°03'42"E, 175.37 feet; thence N32°02'41"E, 202.05 feet; thence N87°14'45"E, 187.68 feet; thence N88°15'17"E, 258.87 feet; thence N82°43'12"E, 211.54 feet; thence S79°56'42"E, 198.69 feet; thence N86°41'18"E, 94.33 feet; thence S00°04'25"W, 10.42 feet; thence along a curve to the left with a radius of 466.00 feet and a long chord bearing and distance of S04°00'19"E, 66.29 feet; thence S08°05'03"E, 202.26 feet; thence along a curve to the right with a radius of 334.00 feet and a long chord bearing and distance of S04°00'19"E, 47.52 feet; thence S00°04'25"W, 96.58 feet; thence N89°43'57"E, 201.02 feet to the West line of Revere Trails; thence N00°04'16"E, 394.59 feet along said West line to the South line of said Terrace Park-Park Addition; thence N80°03'22"W, 4.46 feet along said South line to the West line of said Terrace Park-Park Addition; thence N00°16'21"E, 780.93 feet along said West line and the West line of CSM No. 5357; thence N86°50'36"W, 343.72 feet; thence S08°06'19"W, 95.71 feet; thence along a curve to the left with a radius of 196.00 feet and a long chord bearing and distance of S73°42'27"W, 128.58 feet; thence S55°01'36"W, 7.87 feet; thence along a curve to the right with a radius of 14.89 feet and a long chord bearing and distance of N76°24'08"W, 22.33 feet; thence along a curve to the right with a radius of 175.62 feet and a long chord bearing and distance of N18°51'00"W, 54.83 feet; thence N09°24'04"W, 118.92 feet; thence N80°35'56"E, 121.87 feet; thence N03°50'57"W, 280.99 feet; thence N01°52'14"W, 39.16 feet; thence N85°24'11"E, 255.65 feet; thence N41°39'54"E, 75.23 feet; thence N70°27'48"E, 151.70 feet to the said West line of Terrace Park and the point of beginning; Containing 27.1 acres.

A-1EX to RE-1

Part of the Northeast ¼ of the Southwest ¼ and part of the Southeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S55°19'35"W, 1592.45 feet to the East line of said Southwest ¼ and the point of beginning; thence S01°00'59"E, 161.84 feet along said East line; thence S61°47'03"W, 102.08 feet; thence along a curve to the right with a radius of 15.00 feet and a long chord bearing and distance of N73°12'57"W, 21.21 feet; thence N28°12'57"W, 64.52 feet; thence along a curve to the left with a radius of 253.00 feet and a long chord bearing and distance of N47°58'24"W, 171.05 feet; thence N22°16'09"E, 98.09 feet; thence N38°47'38"W, 57.45 feet; thence N75°05'55"W, 91.50 feet; thence S88°59'17"W, 205.75 feet; thence N19°38'58"W, 37.25 feet; thence N64°58'04"E, 126.27 feet; thence N54°12'09"E, 126.27 feet; thence N41°10'49"W, 140.00 feet; thence along a curve to the left with a radius of 533.00 feet and a long chord bearing and distance of N47°12'25"E, 30.00 feet; thence S44°24'20"E, 140.00 feet; thence N40°45'04"E, 113.64 feet; thence N30°37'42"E, 121.77 feet; thence S67°07'32"E, 66.61 feet; thence S00°52'05"E, 258.27 feet; thence S11°16'38"E, 223.53 feet; thence N88°54'55"E, 80.63 feet to the point of beginning; Containing 3.3 acres.

A-2 to RE-1

Part of the Certified Survey Map No. 11197, being part of the Northwest ¼ of the Southeast ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows: Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S80°12'31"W, 773.71 feet to the Southeast corner of CSM No. 11197; thence N00°07'37"W (recorded as N00°00'00"W) along the East line of said CSM No. 11197 to the point of beginning; thence N56°12'15"W, 28.10 feet; thence N47°14'18"E, 31.70 feet to said East line; thence S 00°07'37"E (recorded as S00°00'00"E), 37.15 feet to the point of beginning; Containing 0.01 acres.

A-3 to CO-1

Part of the Southwest ¼ of the Southeast ¼, Section 28; part of the Northwest ¼ of the Northeast ¼, part of the Southwest ¼ of the Northeast ¼, and part of the Northeast ¼ of the Northwest ¼, Section 33; all in T9N, R10E, Town of Windsor, Dane County, described as follows: Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S42°28'31"W, 1599.99 feet to the point of beginning; thence S03°35'31"W, 666.90 feet; thence S06°32'30"W, 216.83 feet; thence S34°09'15"E, 284.24 feet; thence S13°13'44"E, 16.30 feet; thence S60°55'45"W, 157.25 feet; thence S34°04'20"W, 255.59 feet; thence S22°48'19"W, 148.57 feet; thence S20°04'43"W, 217.13 feet; thence S04°08'20"W, 169.23 feet; thence S25°56'58"E, 158.88 feet; thence N49°00'24"E, 156.36 feet; thence along a curve to the left with a radius of 183.00 feet and a long chord bearing and distance of S47°36'08"E, 66.44 feet; thence S49°00'24"W, 154.60 feet; thence S63°34'48"E, 151.55 feet; thence S32°02'41"W, 202.05 feet; thence N00°03'42"W, 175.37 feet; thence N83°21'47"W, 321.59 feet; thence N29°49'19"W, 271.52 feet; thence N05°59'39"W, 130.07 feet; thence N17°14'22"E, 132.10 feet; thence N37°38'47"E, 164.76 feet; thence N46°06'51"W, 147.44 feet; thence N32°00'44"W, 93.39 feet; thence N63°46'56"E, 153.27 feet; thence N47°33'09"E, 127.44 feet; thence N33°48'22"E, 154.02 feet; thence N59°21'44"E, 44.96 feet; thence S76°06'07"E, 324.66 feet; thence S87°49'55"E, 86.01 feet; thence N34°09'15"W, 284.24 feet; thence along a curve to the right with a radius of 467.00 feet and a long chord bearing and distance of N78°23'15"W, 37.25 feet; thence N76°06'07"W, 28.78 feet; thence N13°53'53"E, 139.97 feet; thence N76°40'59"W, 117.73 feet to the West line of said

Southeast ¼; thence N01°00'59"W, 584.47 feet along said West line; thence N61°47'03"E, 252.20 feet to the point of beginning; Containing 12.6 acres.

A1EX to CO-1

Part of the Southeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows: Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 1327.00 feet along the North line of said Southeast ¼ to the East line of Certified Survey Map (CSM) No. 7006; thence along said East line S00°54'28"E, 590.23 feet (recorded as S00°44'33"E, 590.00 feet) to the Southeast corner of said CSM No. 7006; thence S45°04'23"W, 1839.89 feet to a point on the East line of said Southwest ¼ and the point of beginning; thence S01°00'59"E, 584.47 feet along said East line; thence N76°40'59"W, 62.27 feet; thence S88°59'27"W, 149.55 feet; thence S78°24'34"W, 118.19 feet; thence N12°27'02"W, 77.61 feet; thence N06°35'38"E, 185.07 feet; thence N15°54'38"E, 80.00 feet; thence N36°25'34"E, 209.73 feet; thence N60°15'26"E, 92.60 feet; thence N61°47'03"E, 95.51 feet to the said East line and the point of beginning; Containing 3.4 acres.

A-2 to R-4

Part of Certified Survey Map No. 11197, being part of the Northwest ¼ of the Southeast ¼ and part of the Northeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 2653.79 feet along the North line of said Southeast ¼ to the center of section; thence S01°00'59"E, 50.00 feet to the South right-of-way line of Windsor Road and the point of beginning; thence N89°52'23"E, 272.91 feet along said right-of-way line; thence S00°34'34"W, 191.41 feet; thence N89°19'42"W, 106.54 feet; thence S15°59'41"W, 187.14 feet; thence along a curve to the left with a radius of 287.00 feet and a long chord bearing and distance of N82°08'27"W, 79.75 feet; thence S89°52'23"W, 113.77 feet; thence N00°07'37"W, 358.62 feet; thence N89°52'23"E, 80.68 feet to said right-of-way line and the point of beginning; Containing 2.4 acres.

A-1EX to R-4

Part of the Northeast ¼ of the Southwest ¼, Section 28, T9N, R10E, Town of Windsor, Dane County, described as follows:

Commencing at the East ¼ Corner of said Section 28; thence S89°52'23"W (recorded as S90°00'00"W), 2653.79 feet along the North line of said Southeast ¼ to the center of section; thence S01°00'59"E, 50.00 feet along the East line of said Southwest ¼ to the South right-of-way line of Windsor Road; thence S89°52'23"W, 80.68 feet along said right-of-way line to the point of beginning; thence S00°07'37"E, 358.62 feet; thence S89°52'23"W, 224.90 feet; thence S00°07'37"E, 291.10 feet; thence along a curve to the right with a radius of 467.00 feet and a long chord bearing and distance of S14°14'39"W, 231.82 feet; thence N61°23'06"W, 130.00 feet; thence S35°22'43"W, 79.38 feet; thence S48°54'20"W, 79.38 feet; thence S62°25'58"W, 79.38 feet; thence S75°57'36"W, 79.38 feet; thence S88°34'22"W, 277.60 feet; thence S01°00'24"E, 131.71 feet; thence along a curve to the left with a radius of 183.00 feet and a long chord bearing and distance of S58°33'23"W, 140.60 feet; thence N70°04'37"W, 189.28 feet; thence N01°00'24"W, 617.95 feet; thence N90°00'00"E, 260.91 feet; thence N00°11'37"W, 234.98 feet; thence N89°48'31"E, 360.81 feet; thence N00°04'44"W, 327.59 feet to the North line of said Southwest ¼; thence N89°52'23"E, 611.17 feet along said North line; thence S00°07'49"E, 50.00 feet to said right-of-way line and the point of beginning; Containing 20.2 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. The landowner shall comply with all the provisions as found under Town of Windsor Town Board Resolution 2014-51.

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.**

**TOWN OF WINDSOR
TOWN BOARD RESOLUTION 2014-51**

**RESOLUTION CONDITIONALLY APPROVING THE PRELIMINARY PLAT OF
BEAR TREE FARMS DATED SEPTEMBER 16, 2014 AND PROPOSED REZONING BY
DANE COUNTY FROM A-1 EX, A-2 AND A-3 TO R-2, R-4, B-1, CO-1 AND RE-1
ALL LOCATED IN THE TOWN OF WINDSOR**

[Submitted by Petitioners and owners
Bear Tree Farms, Inc., Statz Bros. Inc., and Steve Pederson]

WHEREAS, Bear Tree Farms, Inc., Statz Bros. Inc., and Steve Pederson (collectively herein, "Petitioners") have applied for approval of the Preliminary Plat of Bear Tree Farms dated September 16, 2014¹ (the "Plat") located in the Town of Windsor, Dane County, Wisconsin, and rezoning by Dane County from A-1 EX, A-2 and A-3 to R-2, R-4, B-1, CO-1 and RE-1 as described with particularity in the Staff Report; and

WHEREAS, Town staff recommendations are set forth in the Staff Report dated September 11, 2014, as further supplemented for presentation to the Town Board on September 18, 2014 (collectively herein, "Staff Report"), which Staff Report is incorporated herein by reference; and

WHEREAS, Petitioners presented their application and a public hearing was held at a regular meeting of the Town of Windsor Plan Commission on July 15, 2014, after which the Plan Commission considered the presentation, staff comments and public comments and recommended conditional approval on the terms set forth in Plan Commission Resolution 2014-21, which is incorporated by reference; and

WHEREAS, at a regular meeting of the Town Board held on September 18, 2014, the Town of Windsor Town Board considered all of the aforementioned and additional information provided to the Town through September 17, 2014, and wishes to conditionally recommend approval as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Windsor as follows:

- A. The Windsor Town Board **Conditionally Approves** the Preliminary Plat² and Rezone for the property located at Lot 1 of CSM 11197 and referred to as Bear Tree Farms-Windsor or the Plat, and owned by Bear Tree Farms Inc., Statz Bros. Inc., and Steve Pederson (collectively, "Petitioners"), subject to the following conditions:

¹ **NOTE:** The Preliminary Plat as revised on September 16, 2014 is the Plat referenced in this Resolution 2014-51. The initial application included a Preliminary Plat dated June 25, 2014 and interim maps dated August 21, 2014, September 3 and September 10 have been prepared.

² **NOTE:** In the event of a conflict among the documents submitted to and reviewed by the Plan Commission and/or Town Board, the more stringent requirements shall be applied and bind the Petitioners. This determination shall be made by Town staff.

1. Provided that there are no substantive changes to the Final Plat, as determined by the Town Planner, the technical comments set forth in the Planning Comments section of this Staff Report³ shall be addressed as follows:
 - a. As applied to this Plat, the overall gross density of 2.5 D.U./acre for the Transition Residential category per the Town of Windsor Comprehensive Plan: 2025 is found by the Town Board to be a guideline for the Transition Residential category of the Town of Windsor Comprehensive Plan: 2025.
 - b. As applied to this Plat, the 15% open space calculation for the Transition Residential category per the Town of Windsor Comprehensive Plan: 2025 is found to be a guideline for the Transition Residential category of the Town of Windsor Comprehensive Plan: 2025.
 - c. The unit count set forth on the Final Plat shall be limited and set forth in a deed restriction or other binding agreement approved by the Town Attorney, to include the following units:
 1. Single Family 364 units 3.0 DU/acre
 - a. Lots 163-181 (lots along eastern boundary of plat north of OL 4) shall each be 20,000 sf or larger
 - b. All SF Lots shall be 12,000 sf or larger
 2. Multi-Family and Senior shall be on Lots 1, 3, and 270 only
 - a. The maximum number of units on these three lots shall be 232, of which 80 or more shall be senior housing and 152 or less shall be multifamily. (If senior housing increases, multifamily units will decrease. Multifamily will never be more than 152 units.)
 - b. For these purposes, senior housing means housing subject to legal age restrictions, assisted living units and nursing homes. The form of ownership could be condominiums, zero lot line duplexes, or rental units.
 3. The Dwelling Unit Density Information on the Plat shall be revised to more fully reflect the unit count and the restrictions set forth above.
 - d. As to compliance with Section 42-115 of the Town of Windsor Code of Ordinances: A waiver has been requested by the Petitioner and approved by the Town Board with respect to the curb and gutter requirement. The use of a rural cross section with open drainage swales, as shown in the application, is hereby approved by the Town, subject to construction, monumenting and implementation as approved by the Town Planner and Town Engineer.

³ **NOTE:** The Town of Windsor Plan Commission voted as "Not in Support" of granting waivers to the items set forth in Section A.1.a.-d. (July 15, 2014 Plan Commission Meeting).

- e. As to compliance with Section 42-118 of the Town of Windsor Code of Ordinances: A waiver has been requested by the Petitioner and conditionally approved by the Town Board with respect to the sidewalk requirement. The conditions include: (i) the Town Board's approval of the location of 10-foot multi-purpose paths within public right-of-way or across private easements granted by lot owners, all in a manner that furthers connectivity of a walking, biking and trail system; (ii) execution of a separate easement agreement for any and all multi-purpose paths that cross private property, which agreement shall be subject to approval of the Town Attorney, Town Planner and Town Engineer; and, (iii) execution of a monument and maintenance agreement, which agreement shall be subject to approval of the Town Engineer, Town Planner and Town Attorney.
2. The Petitioners shall address the technical comments set forth in the Engineering Comments section of this Staff Report to the satisfaction of the Town Engineer.
3. The Petitioners shall address the technical comments set forth in the Surveying Comments section of this Staff Report to the satisfaction of the Town Planner.
4. The Petitioners shall address the comments set forth in the Town Policy Concerns/Issues section of this Staff Report to the satisfaction of the Town of Windsor Plan Commission and Board.
5. The Petitioners shall provide letters of no objection to the Town Planning & Development Coordinator regarding the proposed development from the following entities:
 - a. DeForest Area Fire & EMS
 - b. Windsor Sanitary District No. 1
 - c. DeForest Area School District
6. The Petitioners shall present to the Town Planning & Development Coordinator the following fully executed original documents, with exhibits attached, each and all of which shall be in a form that meets the requirements for recording, and is satisfactory to the Town Attorney:
 - a. Deed Restriction, prohibiting the conveyance of a lot to a homeowner prior to the Petitioners complying with the recommended conditions of approval of the Preliminary Plat and Final Plat; and
 - b. Development Agreement using the base template of the Town's Development Agreement, dated 07-17-2014, and covering the installation of improvements for the proposed development including a security for the public improvements in an amount and form required by law, and approved by the Town of Windsor Board, Attorney, and Engineer; and
 - c. Declaration of Covenants and Restrictions, ensuring the quality of development, and approved by the Town of Windsor Board, Attorney, and Engineer; and

- d. Stormwater Management Agreement, for all stormwater management facilities, and approved by the Town of Windsor Board, Attorney, and Engineer. Storm water conveyance should be maintained primarily within public rights-of-way. Where storm water conveyance is maintained along common lot lines, the easement boundaries shall be monumented in a manner intended to give notice to subsequent owners, as approved by the Town Engineer.
7. The Petitioners shall provide a vehicular connection from Warner Drive to Pederson Crossing in the general area of Lot 3 and Lot 11 of Phase 6. *(Note: This is included on the Preliminary Plat.)*
8. The Petitioners shall obtain approval of an Erosion & Sedimentation Control Plan and Stormwater Management Plan by the Town of Windsor, Dane County, and the Wisconsin Department of Natural Resources (WDNR).
9. The Petitioners shall obtain approval of Construction Plans and Specifications, in a form satisfactory to the Town Engineer and in accordance with the Development Agreement, for all public improvements. The Pavement Design Report using the Preliminary Plat Soil Report shall be submitted to verify that the proposed pavement cross-section is sufficient.
10. The Petitioners shall submit cash payment (or in kind equivalent, if so specified in the Development Agreement) to the Town of Windsor for Fees in Lieu of Parkland Dedication in the amount determined pursuant to Section 38-637(b) of the Town of Windsor Code of Ordinances prior to the Town signing the Final Plat.
11. The Petitioners shall submit cash payment (or in kind equivalent, if so specified in the Development Agreement) to the Town of Windsor for Fees for Initial Improvement of Parkland in the amount determined pursuant to Section 38-639(e) of the Town of Windsor Code of Ordinances prior to the Town signing the Final Plat.
12. The final design, amenities, phasing and funding mechanisms for the proposed Community Park shall be agreed upon by the Town of Windsor Board and the Petitioners as part of the Development Agreement.
13. The final design, location, and phasing for the 10' multi-purpose path shall be agreed upon by the Town of Windsor Board and the Petitioners as part of the Development Agreement.
14. The Petitioners shall obtain approval for the Preliminary Plat by Dane County, Village of DeForest, and all other approving authorities.
15. The Petitioners shall obtain approval for the Rezone by Dane County.

16. The Petitioners shall submit the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the Town of Windsor (and any other approving authority) may refuse to approve the Final Plat or may extend the time for submission of the Final Plat, all in accordance with Wis. Stats. Section 236.11(1)(b).
17. The Final Plat shall be consistent with the facts set forth in the Staff Report and the Town Board Resolution, as determined by the Town of Windsor Staff. If the Final Plat is not consistent therewith, then the Town of Windsor Staff may request such action as is necessary to be consistent therewith and/or may refer the Final Plat to the Town of Windsor Plan Commission and/or Town of Windsor Board, or both.
18. The Petitioners shall comply with Division 8 *Fees, Administrative Charges and Financial Guarantees* of Article IV of Chapter 38 of the Town of Windsor Code of Ordinances; however, the Escrow Deposit set forth in Sec. 38-309 shall be set at \$10,000.00 for this project. The Town is revising this Sec. 38-309 to reflect the need for higher escrow deposits on projects such as Bear Tree Farms and the Petitioners are hereby advised that the ordinance currently under consideration shall be applied to Bear Tree Farms.
19. The Petitioners shall promptly⁴ reimburse the Town of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Preliminary Plat and Rezone, including, but not limited to, the cost of professional services incurred by the Town of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.

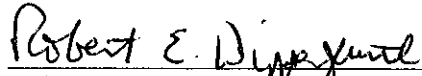
20. THE TOWN OF WINDSOR SHALL NOT SIGN THE FINAL PLAT UNTIL EACH AND ALL OF THE CONDITIONS SET FORTH ABOVE HAVE BEEN MET TO THE TOWN'S SATISFACTION.

- B. It is the Petitioners' obligation to satisfy those conditions adopted by the Town Board, and to provide satisfactory verification of compliance to the Town. All submissions to the Town for determinations of compliance shall be made at least ten (10) business days prior to the date upon which verification of compliance is required.

⁴ As used herein, "promptly" means within 45 days from the date of the Town's invoice to the Petitioners.

The above and foregoing Resolution was recommended for approval at the regular meeting of the Town Board of the Town of Windsor on the 18th day of September, 2014, with a delayed effective date to allow for final review and ratification at the regular meeting of the Town Board of the Town of Windsor on the 2nd day of October, 2014. The Resolution above was ratified and is effective October 2, 2014.

TOWN OF WINDSOR


Robert E. Wipperfurth, Town Chair

Donald G. Madelung, Town Supervisor

Bruce Stravinski, Town Supervisor

Alan Buchner, Town Supervisor


Monica M. Smith, Town Supervisor

Attested by:

Christine Capstran, Town Clerk

Documents incorporated by reference:

Preliminary Plat for Bear Tree Farms dated September 16, 2014
Staff Report