

Document Number

Dahl Attachment, Town of Middleton

Document Title

**ATTACHMENT ORDINANCE**

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 10th day of May, 2022.

Dahl Attachment, Town of Middleton  
Ordinance #: ORD-22-00035  
ID#: 70956

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5833492  
05/13/2022 01:39 PM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 12

Recording Area

Name and Return Address

City Clerk  
210 Martin Luther King Jr. Blvd.  
Room 103  
Madison, WI 53703

Parcel Identification Number (PIN)

May 13, 2022  
Date

*Saren N. Perez for*  
Signature of Clerk

Maribeth Witzel-Behl, City Clerk  
\*Name printed

\_\_\_\_\_  
Date

n/a  
Signature of Grantor

\_\_\_\_\_  
\*Name printed

STATE OF WISCONSIN, County of Dane

This document was drafted by:  
(print or type name below)

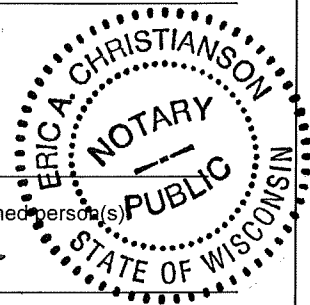
Eric Christianson

Subscribed and sworn to before me on May 13, 2022 by the above named person(s)

Signature of notary or other person  
authorized to administer an oath  
(as per s. 706.06, 706.07) *[Signature]*

Print or type name: Eric Christianson

Title: Certified Municipal Clerk Date commission expires: 3/27/2026



\*Names of persons signing in any capacity must be typed or printed below their signature.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). **USE BLACK INK.** WRDA 5/1999

12



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Certified Copy

Ordinance: ORD-22-00035

File Number: 70956

Enactment Number: ORD-22-00035

**SECOND SUBSTITUTE** - Creating Section 15.01(629) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Alder Districts and Wards" attaching to the 20th Alder District the property located at 3262 High Point Road in the Town of Middleton, amending Section 15.02(448 ~~440~~ 120) of the Madison General Ordinances to attach the property to Ward 448 ~~440~~ 120, and assigning a permanent zoning classification of Suburban Residential - Consistent District 1 (SR-C1).

DRAFTER'S ANALYSIS: This ordinance attaches the property located at 3262 High Point Road in the Town of Middleton and assigns a permanent zoning classification of Suburban Residential - Consistent District 1 (SR-C1) District.

The substitute ordinance changed the assigned Ward from 148 to 140 based on recent redistricting maps approved by the Wisconsin Supreme Court.

This second substitute ordinances changes the assigned Ward to 120 based on redistricting.

\*\*\*\*\*

An ordinance to create Subsection (629) of Section 15.01 of the General Ordinances of the City of Madison entitled "City Boundaries" and being part of the chapter entitled "Alder Districts and Wards".

WHEREAS, a petition for attachment with scale map attached was filed with the City Clerk of Madison on March 24, 2022 and has been presented to the Madison Common Council requesting attachment of the below-described territory to the City of Madison from the Town of Middleton; said petition having been signed by the owners of all of the land in the territory and notice of property attachment having been given to the Town of Middleton; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts the petition as sufficient and determines that the said attachment proceeding meets the requirements of the City of Madison and Town of Middleton Cooperative Plan approved pursuant to Wis. Stat. § 66.0307.;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (629) of Section 15.01 entitled "City Boundaries" of the Madison General Ordinances is hereby created to read as follows:

"15.01(629) - There is hereby attached to the 20th Alder District, the City of Madison, Dane County, Wisconsin, the following described property and pursuant to the provisions of Sec 28.005, MGO, the territory attached by this ordinance is hereby assigned a permanent zoning classification of (SR-C1) Suburban-Residential-Consistent 1 (District):

Lot 2, Certified Survey Map 7007, Town of Middleton, Dane County, Wisconsin, more particularly described as follows: Located in the SE1/4 of the SW1/4 of Section 35, T7N, R8E, Town of Middleton, Dane County, Wisconsin to-wit: Commencing at the South 1/4 of said Section 35; thence

S88°54'11"W, 1087.78 feet along the South line of said SW1/4; thence N01°05'49"W, 743.63 feet to the Northeast corner of Lot 1, Certified Survey Map 7007, also being the Point of Beginning; thence N88°42'56"W, 158.82 feet along the North line of said Lot 1, also being along the existing Corporate boundary of the City of Madison, to a point on the East right-of-way line of S High Point Road; thence N01°17'10"E, 124.28 feet along said Corporate boundary and East right-of-way line, to a point on a Southerly line of Lot 1, Certified Survey Map 5020, also being the Northwest corner of said Lot 2; thence N88°59'17"E, 158.91 feet along the Northerly line of said Lot 2, to the Northeast corner of said Lot 2; thence S01°16'13"W, 130.65 feet along an East line of said Lot 2, to the Point of Beginning. Said described parcel contains 20,242 square feet; 0.465 acres; 0. 000726 square miles."

2. Subsection (~~448~~ 440 120) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is ~~created~~ amended to read as follows:

"(~~448~~ 440 120) Ward 448 440 120. Legal Description Pending."

3. Map Amendment 00563 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-0563. The following described property is hereby rezoned to SR-C1 (Suburban Residential-Consistent 1) District.

Lot 2, Certified Survey Map 7007, Town of Middleton, Dane County, Wisconsin, more particularly described as follows: Located in the SE1/4 of the SW1/4 of Section 35, T7N, R8E, Town of Middleton, Dane County, Wisconsin to-wit: Commencing at the South 1/4 of said Section 35; thence S88°54'11"W, 1087.78 feet along the South line of said SW1/4; thence N01°05'49"W, 743.63 feet to the Northeast corner of Lot 1, Certified Survey Map 7007, also being the Point of Beginning; thence N88°42'56"W, 158.82 feet along the North line of said Lot 1, also being along the existing Corporate boundary of the City of Madison, to a point on the East right-of-way line of S High Point Road; thence N01°17'10"E, 124.28 feet along said Corporate boundary and East right-of-way line, to a point on a Southerly line of Lot 1, Certified Survey Map 5020, also being the Northwest corner of said Lot 2; thence N88°59'17"E, 158.91 feet along the Northerly line of said Lot 2, to the Northeast corner of said Lot 2; thence S01°16'13"W, 130.65 feet along an East line of said Lot 2, to the Point of Beginning.

4. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

*LAUREN N PEREZ for*  
SIGNATUREBLOCK, I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance 22-00035, file no. 70956, adopted by the Madison Common Council on May 10, 2022.

*Lauren N. Perez*

5-13-2022  
Date Certified

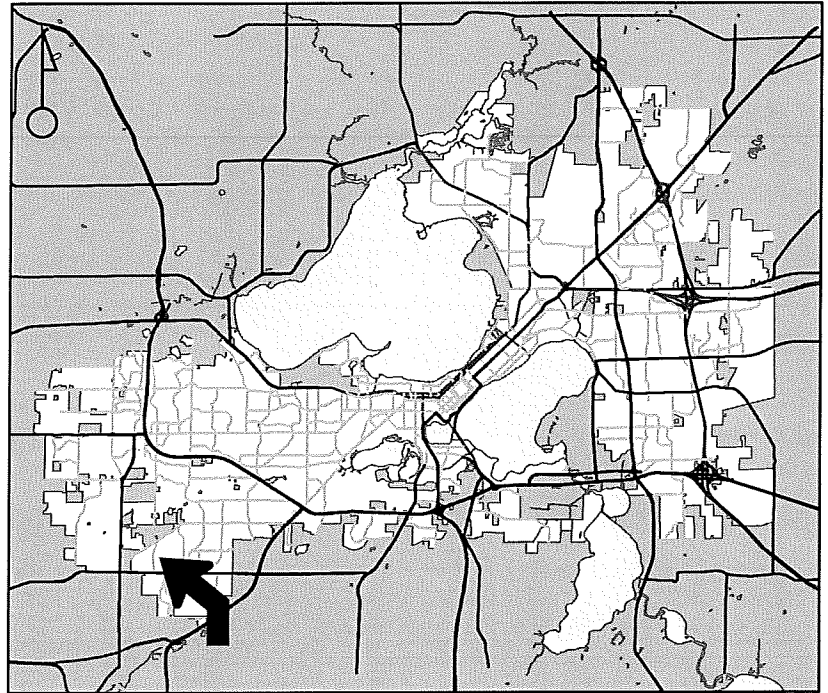


Location  
3262 High Point Road  
Town of Middleton

Applicant  
Wilmer A. and Sandra S. Dahl

Request  
Attach single-family residence from the  
Town of Middleton and assign SR-C1  
zoning

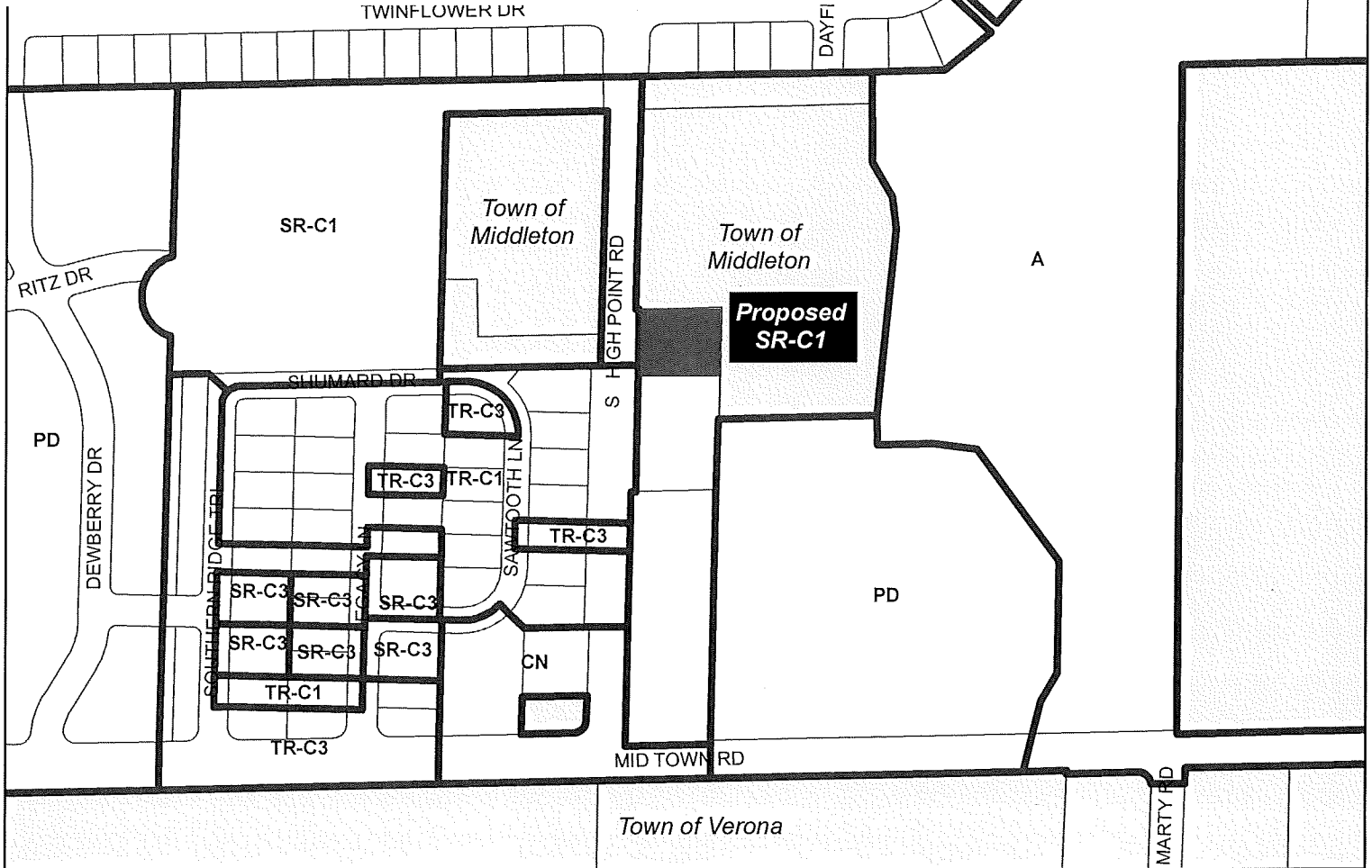
Public Hearing Dates  
Plan Commission  
May 9, 2022  
Common Council  
May 10, 2022



For Questions Contact: Tim Parks at: 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com) or City Planning at 266-4635

NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl Date: May 13, 2022  
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl





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Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl

Date: May 13, 2022

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl





# Annexation/ Attachment Worksheet

[Final, 11 May 2022]



	<i>Comment 1</i>	<i>Comment 2</i>
<b>Petition Name:</b>	Wilmer A. and Sandra S. Dahl Attachment	
<b>Dane County Address:</b>	3262 High Point Road	
<b>Township:</b>	Middleton	
<b>Parcel Number(s):</b>	038/0708-353-9690-2	
<b>Date Filed with City Clerk:</b>	24 March 2022	
<b>Date Filed with Town:</b>	24 March 2022 (by US Mail)	
<b>Dept. of Administration Review:</b>	None; Cooperative Plan	
<b>Property Owner(s)</b>		
<i>Name:</i>	Wilmer A. and Sandra S. Dahl	
<i>Address:</i>	3262 High Point Road Madison, WI 53719	
<b>Representative (if any)</b>		
<i>Name:</i>	Matt Dahl	
<i>Address:</i>	Hickory Hill Academy 3276 High Point Road Madison, WI 53719	
<b>Surveyor</b>		
<i>Name:</i>	Brett Stoffregan and Ron Klaas	
<i>Address:</i>	D'Onofrio Kottke and Associates, Inc. 7530 Westward Way Madison, WI 53717	
<b>County Zoning of Attached Land:</b>	SFR-08 (Single-Family Residential (Small Lots) District)	
<b>Existing Use(s) of Attached Land:</b>	Single-family residence	
<b>City Land Use Plan(s):</b>	Comprehensive Plan (2018) – Low-Medium Residential High Point-Raymond NDP (2017) – Residential Housing Mix 2	
<b>Zoning Upon Annexation:</b>	<b>[Permanent] SR-C1 (Suburban Residential–Consistent 1 District)</b>	
<b>Central Urban Service Area:</b>	In CUSA	
<b>Madison Metropolitan Sewerage District Status:</b>	<b>Not</b> in MMSD	
<b>Environmental Corridors:</b>	No	
<b>Square-Footage of Annexation:</b>	20,242	
<b>Acreage of Annexation:</b>	0.465	
<b>Square-Mileage of Annexation:</b>	0.000726	

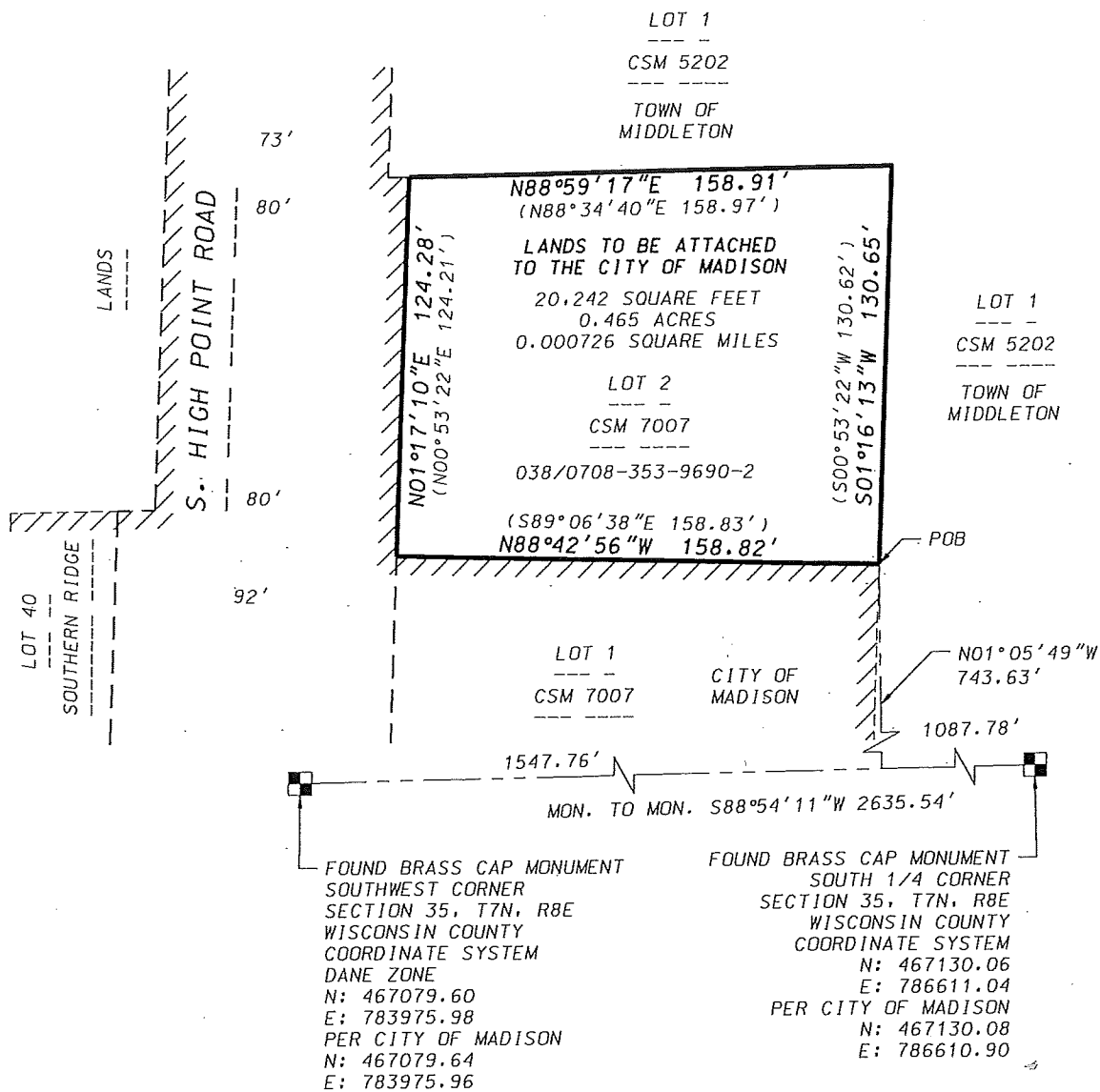
Dwelling Units:	1	
Population:	2	
Electors:	2	
<b>Tax Information by Parcel/Year</b>	<b>2021</b>	
	<b>-9690-2</b>	
<i>Assessed Land Value:</i>	\$110,700.00	
<i>Ass. Improvement Value:</i>	\$303,500.00	
<i>Total Assessed Value:</i>	\$414,200.00	
<b>Total Taxes for Year: (2021)</b>	\$7,238.49	
<i>State of Wisconsin</i>	\$0.00	
<i>Dane County</i>	\$1,450.23	
<i>Town of Middleton</i>	\$882.24	
<i>School District</i>	\$4,793.97	
<i>Madison Area Technical College</i>	\$350.69	
<b>Special Assessment:</b>	\$192.38	
<b>Aldermanic District:</b>	20 – Albouras	
<b>Ward:</b>	<u>120</u> [NEW, Revised, 6 May 2022]	
<b>Polling Place:</b>	Elver Park Shelter, 1250 McKenna Boulevard	
<b>Supervisory District:</b>	29	
<b>Assembly District:</b>	79	
<b>Senate District:</b>	27	
<b>School District(s):</b>	Verona Area School District (5901)	
<b>Electricity:</b>	Wisconsin Power & Light/Alliant Energy (ID 6680)	
<b>Gas:</b>	Madison Gas & Electric Company (MG&E) (ID 3270)	
<b>Trash Day:</b>	6-B (Wednesday)	
<b>Telephone:</b>	Mt. Vernon/TDS (ID 3970)	
<b>Petition Before Council:</b>	29 March 2022 (ID 70670)	<i>To Be Accepted:</i> 19 April 2022
<b>Common Council</b>		
<i>Ordinance Introduction:</i>	19 April 2022	
<i>Plan Commission Date:</i>	9 May 2022 (for rezoning)	
<i>Ordinance Adoption:</i>	10 May 2022	
<b>Ordinance Number (ID):</b>	22-00035 (ID 70956)	
<b>Effective Date:</b>	<b>16 May 2022</b>	
<b>Legal Description:</b>		
<p>Lot 2, Certified Survey Map 7007, Town of Middleton, Dane County, Wisconsin, more particularly described as follows:</p> <p>Located in the SE1/4 of the SW1/4 of Section 35, T7N, R8E, Town of Middleton, Dane County, Wisconsin to-wit: Commencing at the South 1/4 of said Section 35; thence S88°54'11"W, 1087.78 feet along the South line of said SW1/4; thence N01°05'49"W, 743.63 feet to the Northeast corner of Lot 1, Certified Survey Map 7007, also being the Point of Beginning; thence N88°42'56"W, 158.82 feet along the North</p>		

line of said Lot 1, also being along the existing Corporate boundary of the City of Madison, to a point on the East right-of-way line of S High Point Road; thence  $N01^{\circ}17'10''E$ , 124.28 feet along said Corporate boundary and East right-of-way line, to a point on a Southerly line of Lot 1, Certified Survey Map 5020, also being the Northwest corner of said Lot 2; thence  $N88^{\circ}59'17''E$ , 158.91 feet along the Northerly line of said Lot 2, to the Northeast corner of said Lot 2; thence  $S01^{\circ}16'13''W$ , 130.65 feet along an East line of said Lot 2, to the Point of Beginning. Said described parcel contains 20,242 square feet; 0.465 acres; 0.000726 square miles.



# EXHIBIT "II"

## MAP OF LANDS TO BE ATTACHED TO THE CITY OF MADISON SCALE MAP



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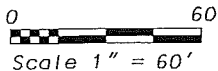
Signed by grantor(s) or grantor(s) agent: Maibeth Witzel-Behl  
 Name of grantor(s) or grantor(s) agent printed: Maibeth Witzel-Behl

Date: May 13, 2022

**D'ONOFRIO KOTTKE AND ASSOCIATES, INC.**

7530 Westward Way, Madison, WI 53717  
 Phone: 608.833.7530 • Fax: 608.833.1089  
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

GRID NORTH  
 WISCONSIN COUNTY COORDINATE  
 SYSTEM (DANE ZONE)  
 THE SOUTH LINE OF THE SW1/4  
 OF SECTION 35, T7N, R8E  
 BEARS S88°54'11"W

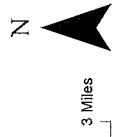


DATE: 03-23-22

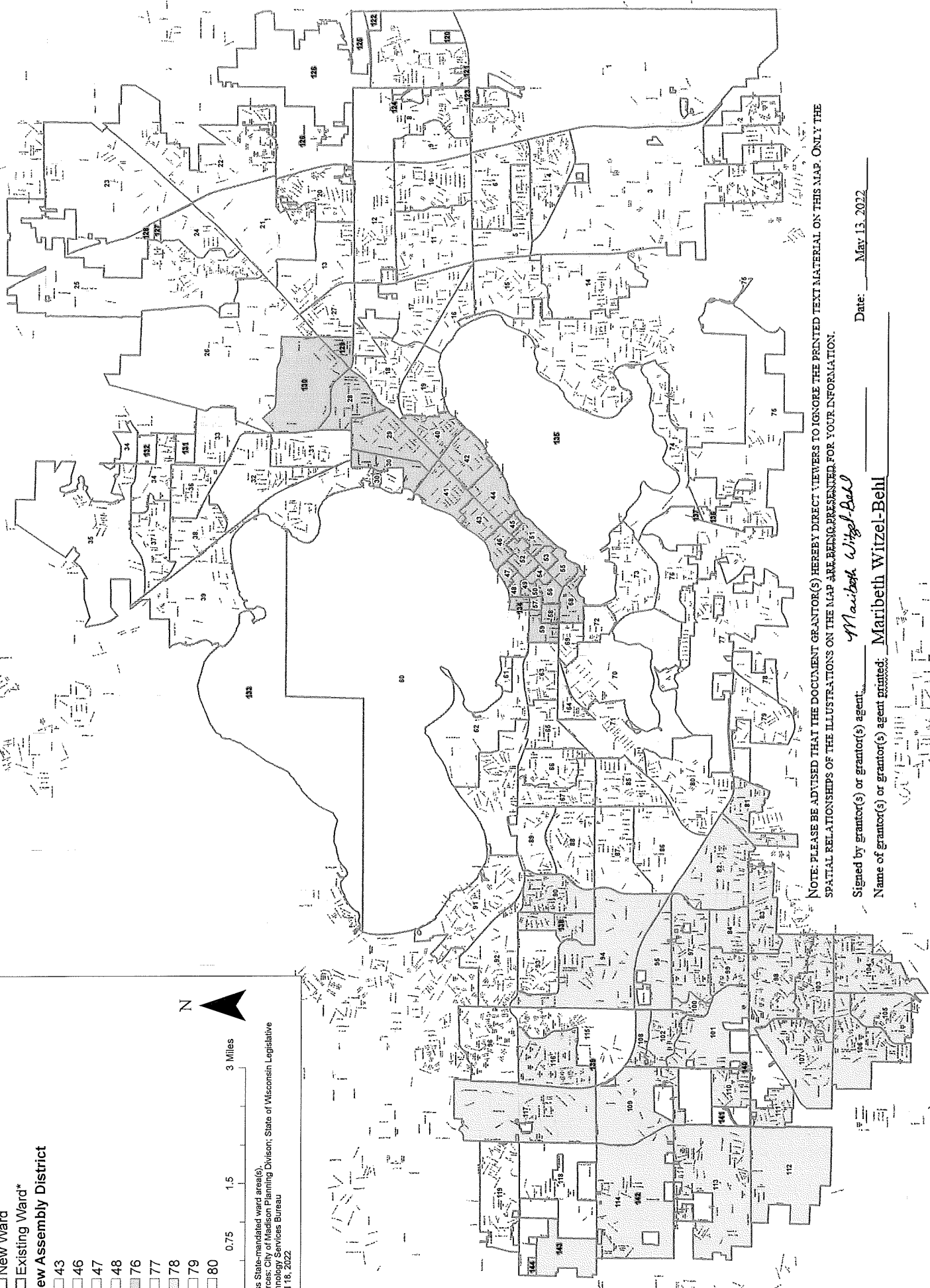
F.N.: 19-05-124

**State Mandated Wards**

- New Ward
- Existing Ward\*
- New Assembly District**
- 43
- 46
- 47
- 48
- 76
- 77
- 78
- 79
- 80



\*Less State-mandated ward area(s)  
 Sources: City of Madison Planning Division; State of Wisconsin Legislative Technology Services Bureau  
 April 18, 2022



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 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl  
 Date: May 13, 2022

WITNESSED AND SEALED  
 MAY 13 2022



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

---

Madison Municipal Building, Suite 017  
215 Martin Luther King Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

**TO:** Plan Commission

**FROM:** Timothy M. Parks, Planner

**DATE:** May 9, 2022

**SUBJECT:** [Substitute] Ordinance ID 70956 – Attaching approximately 0.47 acres of land owned by the Wilmer A. and Sandra S. Dahl at 3262 High Point Road to the City of Madison from the Town of Middleton, and assigning SR-C1 (Suburban Residential–Consistent 1 District) zoning

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On March 24, 2022, a petition was filed in the City Clerk’s Office by Wilmer A. and Sandra S. Dahl to attach a 0.47-acre property located at 3262 High Point Road in the Town of Middleton to the City of Madison. The parcel to be attached contains approximately 125 feet of frontage along S High Point Road and is developed with a single-family residence with attached garage.

[Note: Parcels in the Town of Middleton follow Dane County addressing convention, which is different from the City of Madison’s. The City assigns ‘North’ and ‘South’ prefixes to High Point Road, whereas the County does not. The address of the parcel will change once the attachment is approved and takes effect.]

This ordinance attaches land pursuant to the Cooperative Plan entered into by the City of Madison and Town of Middleton, dated September 29, 2003. Pursuant to the Cooperative Plan, individual property owners east of the final City-Town boundary (Pioneer Road and Meadow Road) may petition the City for intermediate attachment in advance of final attachment of the lands east of the boundary line on the first Monday of February 2042.

Attachment ordinances allowed by an intergovernmental agreement and cooperative plan do not typically come before the Plan Commission for a recommendation prior to being adopted by the Common Council. However, in addition to attaching the property to the City and assigning it to Ward 140 and the 20th Aldermanic District, Ordinance ID 70956 includes a request to assign permanent SR-C1 (Suburban Residential–Consistent 1 District) zoning to the property. Section 12.01(a) of the City’s cooperative plan with the Town of Middleton provides that the City may designate a temporary or permanent zoning classification for each attached parcel as prescribed in Sec. 62.23(7)(d) of Wis. Stats., which generally requires that a Class 2 notice be provided in the official municipal newspaper prior to the Plan Commission hearing on a zoning map amendment. In addition to the Class 2 notice, notices were mailed to Town and City property owners and occupants located in 200 feet of the subject property as prescribed in Section 28.181(5) of the Zoning Code.

The subject site is adjacent to a 2.67-acre parcel addressed 1705-1713 S High Point Road, on which a two-story, approximately 50,000 square-foot school for up to 275 students in kindergarten through grade 8 is pending approval. The Plan Commission recommended approval to the Common Council of rezoning of the school site to SR-V2 (Suburban Residential–Varied 2 District) and a one-lot Certified Survey Map, and approved conditional uses for the school at its April 25, 2022 meeting. The Common Council will consider the zoning map amendment and CSM at its May 10, 2022 meeting.

The ownership of the subject 0.47 acres, 2.67-acre school site to the south, and the existing Hickory Hill Academy daycare center and school property to the north at 3276 High Point Road, Town of Middleton, are owned by or associated with Hickory Hill Academy and the Dahl family. In the case of the residence on the subject property, the well and septic system are located on the school site to the south. In order for the school development to proceed, the residence will need to be connected to City of Madison water and sanitary sewer facilities located in S High Point Road. Connection to those utilities will commence immediately following this attachment and annexation of the residence and future school properties to the boundaries of the Madison Metropolitan Sewerage District. Otherwise, no development of the residential parcel is otherwise proposed at this time.

The subject site is located within the boundaries of the High Point-Raymond Neighborhood Development Plan, which recommends that the subject site and adjacent school sites be developed in the Residential Housing Mix 2 (HM2) category. HM2 includes the development of single-family residences on small lots and other housing types compatible with single-family housing, including duplexes, four-unit dwellings, townhouses, and small-scale apartment buildings at an average density of 12 units an acre and a maximum density of 20 units an acre. Staff feels that the proposed SR-C1 zoning of the subject parcel is appropriate given the existing use, which will remain, and that the proposed zoning is not inconsistent with the HM2 land use recommendation.

Recommendation

In closing, the Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of [Substitute] Ordinance ID 70956, attaching 0.47 acres of land in the Town of Middleton at 3262 High Point Road to the City of Madison, and zoning the attached property to the [permanent] SR-C1 (Suburban Residential–Consistent 1) zoning district. No conditions of approval are recommended for the requested zoning map amendment.

[Note: The proposed substitute ordinance corrects the ward that the attached land will be added to.]