

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11862**

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 Rutland

**Location:** Section 22

**Zoning District Boundary Changes**

**FP-35 to RR-2**

A parcel of land located in the NE ¼-NE ¼ of Section 22, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows: Commencing at the Northeast corner of said Section 22; thence N 89°46'53" W, 33.00 feet along the North line of the NE ¼ of said Section 22 to the point of beginning; thence S 01°10'12" W, 263.00 feet; thence N 89°46'53" W, 499.00 feet; thence N 01°10'12" E, 263.00 feet; thence S 89°46'53" E, 499.00 feet to the point of beginning, containing 3.01 acres.

**FP-35 to RR-8**

A parcel of land located in the NE ¼-NE ¼ and the NW ¼-NE ¼ of Section 22, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows: Commencing at the Northeast corner of said Section 22; thence N 89°46'53" W, 33.00 feet along the North line of the NE ¼ of said Section 22; thence S 01°10'12" W, 263.00 feet to the point of beginning; thence S 01°10'12" W, 138.00 feet; thence N 89°46'53" W, 1344.00 feet; thence N 01°10'12" E, 401.00 feet; thence S 89°46'53" E, 835.00 feet; thence S 01°10'12" W, 263.00 feet; thence S 89°46'53" E, 499.00 feet to the point of beginning, containing 9.26 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. The Certified Survey Map shall delineate the 1% annual flood hazard area. No structural development shall be allowed within the flood hazard area.
2. The CSM shall establish a shared driveway easement across Lot 1 for the benefit of Lot 2. A shared driveway easement agreement shall be recorded on the properties.

### 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:

3. A deed restriction shall be recorded on parcels 0510-221-8001-0 and 0510-221-8500-1 to prohibit further residential development on the remaining FP-35 Farmland Preservation zoned land. The housing density rights for the original farm have been exhausted.

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.**