

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12136**

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 York

Location: Section 9

Zoning District Boundary Changes

FP-35 to RR-8 with TDR-R Overlay (Receiving property)

A parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 9, Town 9 North, Range 12 East, Town of York, Dane County, Wisconsin, described as follows: Commencing at the Northeast corner of Section 9; thence South 01°14'40" East along the East line of the Northeast Quarter of Section 9 and the centerline of State Trunk Highway 73, 150.00 feet to the point of beginning; thence continuing South 01°14'40" East along the East line of the Northeast Quarter of Section 9 and the centerline of State Trunk Highway 73, 494.00 feet to the Northeast corner of Lot 1, Certified Survey Map, No. 12381; thence South 88°45'20" West along the North line of Lot 1, Certified Survey Map, No. 12381, 453.00 feet to the Northwest corner thereof; thence South 01°14'40" East along the West line of Lot 1, Certified Survey Map, No. 12381, 224.00 feet to the Southwest corner thereof; thence North 73°00'03" West, 403.47 feet; thence North 02°37'38" West, 742.18 feet to a point in the North line of the Northeast Quarter of Section 9 and the centerline of County Trunk Highway V; thence North 88°46'26" East along the North line of the Northeast Quarter of Section 9 and the centerline of County Trunk Highway V, 704.10 feet; thence South 46°14'07" East along the South right-of-way line of County Trunk Highway V, 212.17 feet to the point of beginning.

TDR-S Overlay (Sending property)

Tax parcel # 0912-091-9002-0

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 TDR-R (Transfer of Development Rights–Receiving) overlay zoning district shall be assigned to the proposed residential lot.

2. The TDR-S (Transfer of Development Rights–Sending) overlay zoning district shall be assigned to the sending property (tax parcel 0912-091-9002-0).

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:

1. A deed notice shall be recorded on CSM Lot 1 that indicates it was created by a transfer of development rights.
2. A deed restriction shall be recorded on tax parcel #0912-091-9002-0 stating the following:
 - a. Further residential/nonfarm development is prohibited. The housing density rights on this portion of the original O.W. Hughes farm have been exhausted per the Town Comprehensive Plan density policies.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s). 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.**