

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 12010**

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 Montrose

Location: Section 31

Zoning District Boundary Changes

FP-35 to RR-4

That part of the Northwest and Southwest 1/4s of the Southeast 1/4 of Section 31, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, bounded and described as follows:

Commencing at the Southeast 1/4 of said Section 31; thence N88°36'41"W along the South line of Section 31, 2026.33'; thence N00°15'01"E, 1283.14' to the point of beginning; thence N00°15'01"E, 972.15' to the centerline of State Trunk Highway 69 & 92; thence S72°21'38"E along said centerline, 408.64'; thence S01°11'53"W, 272.98'; thence S10°26'33"W, 436.92'; thence S24°36'37"W, 161.44'; thence N89°44'59"W, 241.54' to the point of beginning.

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. Within 6 months of the County Board action on this petition, the landowner shall raze (remove) one of the farm residences on the property prior to the zoning becoming effective.
2. Conditional Use Permit #2501 for a secondary farm residence shall be rendered null and void.
3. A shared driveway access easement shall be recorded along with the certified survey map for the new lot, to provide access to both the farm and the new residence.

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 restriction shall be recorded on the remaining FP-35 lands (current tax parcel 0508-314-9000-7) stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Louis J. Gardippe 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.**