

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 10901**

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 Rutland

Location: Section 12

Zoning District Boundary Changes

Lot 1: A-1EX TO RH-2

Part of the NW 1/4 of the NE 1/4 of Section 12, T.5N., R.10E., Town of Rutland, Dane County, Wisconsin, described as follows: Commencing at the North 1/4 corner of Section 12; thence N87°08'44"E along the North line of the NE 1/4, 66 feet to the point of beginning; thence continue N87°08'44"E along said line, 265 feet to the Northwest corner of Lot 1 Dane County Certified Survey Map number 2983; thence S05°49'06"E along the West line of said Lot 1, 691 feet; thence S84°11'W, 265 feet; thence N05°49'06"W, 705 feet the point of beginning. Containing 4.2 acres more or less.

Lot 2: A-1EX TO C-1

Part of the NW 1/4 of the NE 1/4 of Section 12, T.5N., R.10E., Town of Rutland, Dane County, Wisconsin, described as follows: Beginning at the North 1/4 corner of Section 12; thence N87°08'44"E along the North line of the NE 1/4, 66 feet; thence S05°49'E, 705 feet; thence N84°11'E, 265 feet to the West line of Dane County Certified Survey Map number 2983; thence S05°49'E, 636 feet to the Southwest corner of said survey; thence S86°48'44"W, 330.96 feet; thence N05°49'06"W along the West line of the 1/4 - 1/4, 1328.81 feet to the point of beginning. Containing 5.6 acres more or less.

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.

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 C-1 Commercial lot to limit the land uses exclusively to landscape/snow removal business and sales of landscaping material on-site.
2. A deed restriction shall be recorded on the C-1 Commercial lot to prohibit the erection of a off-premise advertising sign (billboard).

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.**