

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11039**

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 Dane

Location: Section 12

Zoning District Boundary Changes

A-1EX to RH-1

Parcel located in the SE ¼ of the SE ¼, the NE ¼ of the SE ¼, and in the NW ¼ of the SE ¼ of Section 12, T9N, R8E, Town of Dane, Dane County, Wisconsin, being further described as follows:

Commencing at the Southeast corner of said Section 12; thence S89°54'40"W 954.75 feet along the south line of the SE ¼ of said Section 12; thence N00°45'19"W 459.22 feet to the point of beginning.

Thence continue N00°44'52"W 1030.95 feet; thence N40°21'17"W 230.22 feet; thence S63°12'45"W 273.54 feet; thence S64°45'16"E 363.16 feet; thence S00°44'52"E 1025.53; thence N33°37'10"E 116.92 feet to the point of beginning. Contains 2.76 acres and is subject to county highway right of way over the southerly 33 feet thereof.

A-1EX to RH-4

Located in all ¼'s of the Southeast ¼ of Section 12, T9N, R8E, Town of Dane, Dane County, Wisconsin, being further described as follows:

Beginning at the South ¼ corner of said Section 12; thence N00°28'42"W 2247.92 feet along the west line of the SE ¼ of said Section 12 to the southwest corner of Lot 1, Certified Survey Map No. 14073; thence N89°52'13"E, 80.00 feet along said Lot 1; thence S00°28'42"E, 120.31 feet along said Lot 1; thence S64°45'17"E, 866.03 feet along said Lot 1; thence N3°58'34"E, 271.60 feet along said Lot 1; thence N70°30'03"E, 260.08 feet along said Lot 1; thence N89°52'13"E, 574.25 feet along said Lot 1, to the west line of Lot 1, Certified Survey Map No. 10284; thence S00°44'52"E, 624.95 feet along said west line; thence N40°21'17"W, 230.22 feet; thence S63°12'45"W, 273.54 feet; thence S64°45'16"E, 363.29 feet; thence S00°44'52"E, 1025.53 feet to the centerline of Highway "DM"; thence S33°37'10"W, 250.08 feet along said centerline: thence continue along said centerline, 192.52 feet along the arc of a curve concaved northwesterly, having a radius of 1720.89 feet and a long chord bearing S36°49'27"W, 192.42 feet to the south line of said Southeast ¼ of said Section 12; thence S89°55'08"W, 1386.97 feet along said south line to the point of beginning. Contains 75.23 acres (3,276,932 sq. ft.) and is subject to county highway right of way over the most southeasterly 33.00 feet thereof.

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 proposed RH-4 parcel prohibiting further division of the property or further residential development.

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.

DEED NOTICE 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 recorded on the proposed RH-1 property that identifies that the existing structure may only be used for residential purposes and that commercial use of the building is prohibited.

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.**