

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 12020**

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 28

**Zoning District Boundary Changes**

**FP-35 to RR-4**

Part of Lot 1, Certified Survey Map No. 16260 recorded as Doc. No. 5895824, Located in the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 28, T5N, R10E, Town of Rutland, Dane County, Wisconsin more fully described as follows: Commencing at the Southeast corner of Section 28; thence N00°53'15"W, 1190.93 feet along the East line of said Southeast 1/4; thence N83°17'33"W, 33.29 feet to the Westerly right-of-way line of Center Road and the point of beginning; thence continuing N83°17'33"W, 637.70 feet along a Southerly line of said Lot 1; thence N03°24'12"E, 188.78 feet along a Westerly Line of said Lot 1; thence N86°36'02"W, 567.52 feet along a Southerly Line of said Lot 1; thence N06°38'24"W, 160.59 feet along the West line of said Lot 1; thence N89°19'31"E, 1200.02 feet to the West right-of-way line of Center Road; thence S00°53'16"E, 470.29 feet to the point of beginning. Containing 370,311 square feet or 8.50 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.

**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. Lot 2:

This property is located adjacent to a quarry operation that was approved to operate under a conditional use permit. There is also a non-conforming quarry operation located at the southeast intersection of Old Stage Road and N. Union Road. The landowner or future landowners are hereby notified that the quarry activity involves blasting, heavy vehicle and equipment use, noise, dust, and operations during the evening or early in the morning that may be of

nuisance. Any development of this property should take into account the ongoing nearby quarry operations.

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.**