

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11573**

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 36

Zoning District Boundary Changes

FP-35 to RR-1

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 36, TOWN 5 NORTH, RANGE 10 EAST, TOWN OF RUTLAND, DANE COUNTY, WISCONSIN. COMMENCING AT THE EAST 1/4 OF SECTION 36; THENCE S00°12'33"E, 510.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°12'33"E, 300.00 FEET; THENCE S89°53'34"W, 263 FEET; THENCE N00°12'33"W, 300.00 FEET; THENCE N89°53'34"E, 263 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED CONTAINING 1.8 ACRES, MORE OR LESS.

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 applicant's surveyor shall confirm that the balance of the owner's FP-35 zoned land meets the minimum 35-acre lot size.

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. The landowner shall record a deed restriction on the balance of the FP-35 zoned property prohibiting further nonfarm development in accordance with town plan policies (tax parcels 051036488702; 051036481807; and 051036495007). A suitable legal description of the property shall be provided by the surveyor.

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.**