

AMENDED

Dane County Board of Supervisors Amending Chapter 10 of the Dane County Code of Ordinances Zoning Map Amendment Petition 11444

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 Dunkirk

Location: Section 16

Zoning District Boundary Changes

FP-35 to RR-2

Part of the NW 1/4 of the NW 1/4 of Section 16, T.6N., R.11E., Town of Dunkirk, Dane County, Wisconsin, to wit: Commencing at the Northwest corner of Section 16; thence N89°25'20"E, 1324.62' to the Northeast corner of the 1/4 1/4; thence S00°42'24"W, 835.72' to the point of beginning; thence continue S00°42'24"W, 216'; thence S89°32'00"W, 443'; thence N03°45'12"E, 216'; thence N89°32'06"E, 432' to the point of beginning. The above described containing 2.2 acres more or less.

FP-1 to FP-35

Lot 1 of Certified Survey Map #5599, Section 16, T5N, R12E, Town of Dunkirk, Dane County, Wisconsin (9.1 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.

1. Lot 1 of CSM 5599 (9.1 acres) shall be combined with approximately 30 acres of adjoining unplatted lands to create a new, 39-acre lot as shown as Lot 2 on the proposed CSM.
2. The 100 year floodplain boundary and wetland buffer area shall be depicted on the final CSM. No structural development shall be located in the environmentally sensitive areas.
3. Applicant shall record a shared driveway easement agreement ensuring access across proposed ~39 acre Lot 2 to the new RR-2 parcel and the neighboring ~68 acres of FP-35 zoned lands lying to the east and south. The easement shall be depicted on the CSM, and the recorded shared driveway easement

agreement shall address maintenance and upkeep responsibilities between all users of the driveway.

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 parcels 0511-162-8850-8, 0511-162-8001-5, 0511-161-9070-1, 0511-161-8570-8, 0511-161-8500-2, and 0511-094-9210-3 prohibiting further nonfarm development or division of the FP-35 zoned land in accordance with town of Dunkirk comprehensive plan policies.

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.**