

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 12009**

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 Cottage Grove

**Location:** Section 19

**Zoning District Boundary Changes**

**FP-1 TO RR-2**

A parcel of land being part of Lot 3, CSM No. 16023, located in the SE ¼ of the NW ¼ of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more particularly described as follows:

Beginning at the northeast property corner of said Lot 3 at the right of way of Vilas Hope Road; thence S 00°17'44" W, 305.00 feet; thence S 86°27'18" W, 307.86 feet; thence N 08°26'21" E, 298.95 feet; thence along the arc of a curve concaved southeasterly having a radius of 15.00 feet and a long chord bearing N 46°56'24" E, a distance of 18.67 feet; thence N 86°27'18" E, 251.81 feet to the point of beginning. This description contains 2.00 acres or 86,937 sq. ft.

**FP-1 TO RR-4**

A parcel of land being part of Lot 3, CSM No. 16023, located in the SE ¼ of the NW ¼ of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more particularly described as follows:

Commencing at the northeast property corner of said Lot 3 at the right of way of Vilas Hope Road; thence S 00°17'44" W, 305.00 feet to the point of beginning. Thence continue S 00°17'44" W, 294.85 feet; thence S 84°56'46" W, 89.36 feet; thence S 00°18'06" W, 417.06 feet; thence S 74°29'08" W, 177.20 feet; thence N 00°47'45" E, 172.86 feet; thence along the arc of a curve concaved southwesterly having a radius of 233.00 feet and a long chord bearing N 08°06'40" W, a distance of 69.72 feet; thence N 16°19'58" W, 227.04 feet; thence along the arc of a curve concaved northeasterly having a radius of 167.00 feet and a long chord bearing N 03°41'37" W, a distance of 72.04 feet; thence N 08°26'21" E, 218.87 feet; thence N 86°27'18" E, 307.86 feet to the point of beginning. This description contains 4.12 acres or 179,651 sq. ft.

**FP-1 TO NR-C**

A parcel of land being part of Lot 3, CSM No. 16023, located in the SE ¼ of the NW ¼, and in the NE ¼ of the SW ¼ of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more particularly described as follows:

Commencing at the north ¼ corner of said Section 19; thence S 00°18'00" E, 1830.97 feet to the point of beginning. Thence continue S 00°18'00" E, 828.07 feet to the center of section; thence S 00°53'23" W, 839.20 feet; thence S 86°08'36" W, 263.55 feet; thence N 00°20'50" E, 683.10 feet; thence N 89°08'10" W, 330.00 feet; thence along the arc of a curve concaved southeasterly having a radius of 15.00 feet and a long chord bearing S 45°30'32" W, a distance of 21.26 feet; thence N 00°47'54" E, 96.00 feet; thence along the arc of a curve concaved northeasterly having a radius of 15.00 feet and a long chord bearing S 44°05'44" E, a distance of 21.02 feet; thence S

89°08'10" E, 174.54 feet; thence N 00°31'51" E, 106.69 feet; thence N 89°14'22" W, 188.88 feet; thence N 00°47'45" E, 188.78 feet; thence N 74°29'08" E, 177.20 feet; thence N 85°03'07" E, 350.62 feet; thence N 00°16'24" E, 550.38 feet; thence N 84°57'09" E, 85.05 feet to the point of beginning. This description contains 10.66 acres or 464,435 sq. ft.

### 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 TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be applied to the RR-2 and RR-4 lots.

### 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. Owners of the TDR-S sending properties shall record deed restrictions prohibiting nonfarm development on a minimum of 35 acres, as follows:
  - a. Wayne and Patricia Wollin shall record a deed restriction prohibiting nonfarm development on tax parcel 0711-024-9000-7 (SW 1/4 of the SE 1/4, section 2, Town of Cottage Grove).
  - b. Viney Acres LLC shall record a deed restriction prohibiting nonfarm development on tax parcel 0711-253-9500-5 (SE 1/4 of the SW 1/4, section 25, Town of Cottage Grove).
2. A deed notice document shall be recorded on the proposed RR-2 and RR-4 lots (CSM Lots 1 and 2) to indicate they were created via a Transfer of Development Rights.
3. A deed restriction shall be recorded on the proposed NR-C lot (CSM Lot 3) to prohibit residential development.

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.**