

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11603**

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 34

Zoning District Boundary Changes

FP-35 to RR-4

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, T.5N., R.10E., OF THE 4TH P.M., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Commencing at the SE Corner of said Section; thence Westerly along the South Line of the SE 1/4 of said Section, 165 feet more or less to the place of beginning for the land to be herein described; thence Westerly continuing along said South Line, 471 feet more or less; thence Northerly 463 feet more or less; thence Easterly 453 feet more or less; thence Southerly 453 feet more or less to the place of beginning.

FP-35 to RR-2

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34 AND PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 35, T.5N., R.10E., OF THE 4TH P.M., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Beginning at the SE Corner of said Section 34; thence Westerly along the South Line of the SE 1/4 of said Section, 165 feet more or less; thence Northerly 453 feet more or less; thence Easterly, 208 feet more or less; thence Southerly 453 feet more or less to the South Line of the SW 1/4 of said Section 35; thence Westerly along said South Line, 43 feet more or less to the place of beginning.

FP-35 to RR-2

PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 35, T.5N., R.10E., OF THE 4TH P.M., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Commencing at the SW Corner of said Section; thence Easterly along the South Line of the SE 1/4 of said Section, 123 feet more or less to the place of beginning for the land to be herein described; thence Northerly 453 feet more or less; thence Easterly 208 feet more or less; thence Southerly 453 feet more or less to said South Line; thence Westerly 208 feet more or less to the place of beginning.

FP-35 to FP-1

PART OF THE SE 1/4 OF THE SE 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 34 AND PART OF THE NW 1/4 OF THE SW 1/4 AND SW 1/4 OF THE SW 1/4 OF SECTION 35, T.5N., R.10E., OF THE 4TH P.M., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Commencing at the SW Corner of said Section 35; thence Easterly along the South Line of the SW 1/4 of said Section 35, a distance of 43 feet more or less to the place of beginning for the land to be herein described; thence Northerly 453 feet more or less; thence Westerly 450 feet more or less; thence Northerly 760 feet more or less; thence Easterly 132 feet more or less; thence Northerly 1425 feet more or less to the East-West Centerline of said Section 34; thence Easterly along said East-West Centerline, 243 feet more or less to the West 1/4 Corner of said Section 35; thence Easterly along the East-West Centerline of said Section 35, a distance of 326 feet more or less; thence Southerly 2217 feet more or less; thence Westerly 208 feet more or less; thence Southerly 453 feet more or less to said South Line of the SW 1/4 of said Section 35; thence Westerly along said South Line, 80 feet more or less to the place of beginning.

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.

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.**

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 FP-1 parcel prohibiting non-farm development in accordance with town plan density policies (proposed lot 4 of the Certified Survey Map).

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.