

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11623**

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: VIENNA

Location: Section 35

Zoning District Boundary Changes

FP-35 to RR-2

Being part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, T9N, R9E, in the Town of Vienna, Dane County, Wisconsin, being further described as follows:
Beginning at the southwest corner of said Section 35; thence N 00°00'00" E 250.00 feet; thence N 90°00'00" E 500.00 feet; thence S 00°00'00" E 250.00 feet; thence S 90°00'00"W 500.00 feet to the point of beginning. Contains 2.87 acres, 2.33 acres excluding road right of way.

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 Certified Survey Map shall depict a 200-foot "no build area" on the west side of the lot. A note shall be added to the Certified Survey Map stating that, "Buildings, landscaping, fencing, and other objects are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #11623".

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 0909-353-9010-8, 0909-353-8511-4, and 0909-353-9501-0 to prohibit further residential development on the remaining FP-35 Farmland Preservation zoned land. The housing density rights for the original farm have been exhausted.

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.**