

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11262**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

**Town Map:** Town of Montrose

**Location:** Section 6

**Zoning District Boundary Changes**

**RH-4 to RH-2**

Part of Lot 1 Certified Survey Map No. 12818 (CSM 12818) recorded on December 7, 2009 in Volume 81 of Certified Survey Maps of Dane County on pages 146-147, as Document No. 4617433, being a part of the Northwest Quarter of the Northwest Quarter of Fractional Section 6, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin. Described more particularly as follows: Commencing at the Northwest corner of aforesaid Section 6, also being the Point of Beginning; thence along the North line of the Northwest Quarter of said Section 6, South 88 degrees 53 minutes 18 seconds East, 453.08 feet to the Southeast corner of Lot 2 of Certified Survey Map No. 12831 recorded on January 5, 2010 in Volume 81 of Certified Surveys of Dane County on Pages 184-186 as Document no. 4623775; thence along a line parallel to the West line of aforesaid CSM 12818 South 00 degrees 01 minutes 53 seconds East, 529.00 feet; thence along a line parallel to said North line of the Northwest Quarter of Section 6 North 88 degrees 53 minutes 18 seconds West, 453.08 feet to the said West line of CSM 12818; thence along said West line North 00 degrees 01 minutes 53 seconds West, 529.00 feet back to the Point of Beginning. Above described area subject to Spring Rose Road and contains 239,629 square feet or 5.50 acres.

**RH-4 TO A-1EX**

Part of Lot 1 Certified Survey Map No. 12818 (CSM 12818) recorded on December 7, 2009 in Volume 81 of Certified Survey Maps of Dane County on pages 146-147, as Document No. 4617433, being a part of the Northwest Quarter of the Northwest Quarter of Fractional Section 6, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin. Described more particularly as follows: Commencing at the Northwest corner of aforesaid Section 6; thence along the North line of the Northwest Quarter of said Section 6, South 88 degrees 53 minutes 18 seconds East, 453.08 feet to the Southeast corner of Lot

2 of Certified Survey Map No. 12831 recorded on January 5, 2010 in Volume 81 of Certified Surveys of Dane County on Pages 184-186 as Document no. 4623775, also being the Point of Beginning; Thence continuing along said North line of the Northwest Quarter South 88 degrees 53 minutes 18 seconds East, 660.51 feet to the East line of aforesaid CSM 12818; thence along said East line of CSM 12818 South 02 degrees 35 minutes 14 seconds West, 1,231.19 feet to the South line of Said CSM 12818; thence along said South line of CSM 12818 South 89 degrees 27 minutes 59 seconds West, 1,057.15 feet to the West line of said CSM 12818; thence along said West line of CSM 12818 North 00 degrees 01 minutes 53 seconds West, 732.39 feet to a line parallel to said North line of the Northwest Quarter of Section 6; thence along said parallel line South 88 degrees 53 minutes 18 seconds East, 453.08 feet to a line parallel to said West line of CSM 12818; thence along said line parallel to the West line of CSM 12818 North 00 degrees 01 minutes 53 seconds West, 529.00 feet back to the Point of Beginning. Above described area contains 1,112,374 square feet or 25.54 acres.

#### **A-1EX TO RE-1**

Part of Lot 2 Certified Survey Map No. 4600 ( CSM 4600 ) recorded March 18, 1985 in Volume 20 of Certified Survey Maps of Dane County on Pages 122-125, as Document No. 1871499, being a part of the Northeast Quarter of the Northwest Quarter of Fractional Section 6, Town 5 North, Range 8 East, Town of Montrose, Dane county, Wisconsin. Described more particularly as follows: Commencing at the North Quarter Corner of aforesaid Section 6; thence along the East line of Northwest Quarter of said Section 6, South 00 degrees 12 minutes 45 seconds West, 736.85 feet to the southerly point of intersection of aforesaid Lot 2 of CSM 4600 and westerly Right-of-Way line of Fritz Road, also being the point of beginning; thence continuing along said East line of the Northwest quarter, South 00 degrees 12 minutes 45 seconds West, 456.81 feet to the South line of said Lot 2 of CSM 4600; thence along said South line of Lot 2 South 88 degrees 50 minutes 00 seconds West, 1,212.18 feet; thence North 00 degrees 26 minutes 36 seconds West, 45.84 feet; thence North 61 degrees 57 minutes 41 seconds East, 94.85 feet; thence North 03 degrees 30 minutes 43 seconds East, 273.83 feet; thence North 74 degrees 25 minutes 23 seconds East, 168.44 feet; thence North 05 degrees 33 minutes 09 seconds East, 294.84 feet; thence South 71 degrees 10 minutes 15 seconds East, 280.34 feet to the northerly line of the easterly portion of said Lot 2 of CSM 4600; thence along said line of Lot 2 South 85 degrees 09 minutes 26 seconds East, 640.66 feet to a point on the curving southwesterly Right-of-Way of Fritz Road; thence southeasterly along said Right-of-Way 78.80 feet along an arc of a curve to the left, having a Radius of 445.19 feet, and a long chord bearing South 13 degrees 58 minutes 20 seconds East, for 78.75 feet back to the Point of Beginning Above described area contains 630,194 square feet or 14.47 acres.

## **CONDITIONAL ZONING**

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

1. The existing driveway shall be relocated approximately 80 feet north along Fritz Road. Any new driveway shall meet Town requirements regarding slope, storm water, and width.

### **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 A-1Ex lot and the RE-1 lot to prohibit residential development. The housing density rights have been exhausted on the original farm.

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.**