

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11946**

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 YORK

Location: Section 12

Zoning District Boundary Changes

FP-35 to RR-2

Being part of the Southeast quarter of the Southeast quarter, Section 12, Township 09 North, Range 12 East, Town of York, Dane County, Wisconsin. Commencing at the Southeast quarter corner of said Section 12, thence westerly along the South line of the Southeast quarter of said Section 12, S 86°46'13" W 729.70 feet; thence N 03°13'47" W, 33.00 feet, to the Point of Beginning; thence S 86°46'13" W 420.50 feet; thence N 03°13'47" W, 33.09 feet, thence N 38°23'25" E, 633.11 feet, thence S 03°13'47" E, 506.46 feet, to the Point of Beginning. Containing 113,400 square feet or 2.604 acres.

FP-35 to FP-1

Being part of the Southeast quarter of the Southeast quarter, Section 12, Township 09 North, Range 12 East, Town of York, Dane County, Wisconsin. Commencing at the Southeast quarter corner of said Section 12, thence westerly along the South line of the Southeast quarter of said Section 12, S 86°46'13" W 304.10 feet; thence N 01°11'39" W, 33.02 feet, to the Point of Beginning; thence S 86°46'13" W 426.77 feet; thence N 03°13'47" W, 506.46 feet, thence N 87°47'01" E, 715.51 feet; thence S 01°11'39" E, 66.01 feet; thence S 87°47'01" W, 148.65 feet; thence S 01°11'39" E, 240.14 feet; thence S 86°46'13" W, 122.36 feet; thence S 01°11'39" E 190.60 feet, to the Point of Beginning. Containing 226,300 square feet or 6.114 acres.

FP-35 to FP-1

Being part of the Southeast quarter of the Southeast quarter, Section 12, Township 09 North, Range 12 East, Town of York, Dane County, Wisconsin. Commencing at the Southeast quarter corner of said Section 12, thence westerly along the South line of the Southeast quarter of said Section 12, S 86°46'13" W 304.10 feet; thence N 01°11'39" W, 33.02 feet, to the Point of Beginning; thence N 01°11'39" W 190.60 feet, thence N 86°46'13" E, 122.36 feet; thence N 01°11'39" W, 240.14 feet; thence N 87°47'01" E, 148.65 feet; thence S 01°11'39" E 428.11 feet; thence S 86°46'13" W 271.08 feet, to the Point of Beginning. Containing 87,120 square feet or 2.000 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.

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.**

1. The existing septic system shall be identified on the final recorded CSM.

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 tax parcels 091212490000 and 091212495005 stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the former Elmer Henning farm have been exhausted per the Town Comprehensive Plan density policies.
2. A deed restriction shall be recorded on the proposed FP-1 lots stating the following:
 - a. The FP-1 lots (Lots 2 and 3) are limited to 1 animal unit per acre unless a conditional use permit is obtained.

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.