

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11619**

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 TFR-08

A parcel of land being part of the SW 1/4 of the SE 1/4 of Section 35, T9N, R9E, Town of Vienna, Dane County, Wisconsin, more particularly described as follows: Commencing at the South 1/4 Corner of said Section 35; thence N 89°26'26" E along the south line of the Southeast 1/4, 542.57 feet to the point of beginning. Thence continue N 89°26'26" E, 10.00 feet to the Southwest Corner of said Certified Survey Map No. 13014; thence along said Certified Survey Map No. 13014 for the next 3 course N 00°33'33" W, 360.00 feet; thence N 89°26'26" E, 186.69 feet; thence S 00°33'33" E, 360.00 feet to the said south line of the Southeast 1/4; thence N 89°26'26" E along said south line, 10.00 feet; thence N 00°33'33" W, 535.99 feet; thence S 89°26'26" W, 206.69 feet; thence S 00°33'33" E, 535.99 feet to the point of beginning. This parcel contains 43,574 sq. ft. or 1.00 acres thereof.

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 "no build area" on the one-acre expansion area. A note shall be added to the Certified Survey Map stating that, "Buildings 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 #11619".

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 property to limit the land use to residential uses only. No further land use changes shall be permitted.

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.**