

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12114**

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 Cross Plains

Location: Section 17

Zoning District Boundary Changes

FP-1 TO RR-8

A parcel of land located in part of the Southwest 1/4 of the Southwest 1/4 of Section 17 and the Southeast 1/4 of the Southeast 1/4 of Section 18, all in T7N, R7E, Town of Cross Plains, Dane County, Wisconsin, more particularly described as follows: Beginning at the Southwest Corner of said Section 17; thence N 89°50'03" E along the south line of the Southwest 1/4 of said Section 17, 210.31 feet; thence North, 72.63 feet to the right-of-way of Jim Garfoot Circle; thence along said right-of-way along an arc of a curve concaved northerly having a radius of 60.00 feet and a long chord bearing of N 57°07'41" W, 95.19 feet to the Southeast Corner of Lot 1 Certified Survey Map No. 7605; thence along said Lot 1 for the next two courses N 88°21'33" W, 269.96 feet; thence S 14°43'14" W, 139.28 feet; thence N 89°19'15" E, 174.89 feet to the point of beginning. This parcel contains 43,538 sq. ft. or 1.00 acres.

RR-4 TO RR-2 with TDR-R OVERLAY

A parcel of land located on part of Lot 1 Certified Survey Map No. 12337, recorded in the Dane County Register of Deeds Office in Volume 76 of Certified Surveys, Page 273 and 274, as Document No. 4380875. Located in part of the Southwest 1/4 of the Southwest 1/4 of Section 17, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin, more particularly described as follows: Commencing at the Southwest Corner of said Section 17; thence N 89°50'03" E along the south line of the Southwest 1/4 of said Section 17, 532.31 feet; thence N 00°53'36" E, 235.03 feet to the Southeast Corner of said Lot 1 also being the north right-of-way of Jim Garfoot Circle and to the point of beginning. Thence along said Lot 1 and right-of-way for the next two courses S 80°34'22" W, 88.76 feet; thence S 82°58'52" W, 133.63 feet; thence N 00°53'36" E, 445.08 feet to the north line of said Lot 1; thence along said Lot 1 for the next two courses N 66°05'50" E, 242.00 feet; thence S 00°53'36" W, 512.27 feet to the point of beginning. This parcel contains 105,409 sq. ft. or 2.42 acres.

TDR-S "Sending Properties"

The Northeast ¼ of the Southwest ¼ of Section 34, T07N, R07E, Town of Cross Plains, Dane County, Wisconsin

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. An agricultural conservation easement shall be recorded on the TDR-S sending property (Tax parcel #0707-343-8000-2).

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 balance of FP-35 zoned land from the original Arnold Miller Trust farm prohibiting nonfarm development, as the housing density rights have been exhausted (tax parcel #s: 070734293900, 070734388500, 070734395005, and 070734390000).
2. A deed restriction shall be recorded on the proposed FP-1 parcel owned by Garfoot prohibiting residential development (proposed lot 2 of the CSM, current tax parcel 0707-173-9300-0).

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.**

DEED NOTICE 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 TDR-R notice document shall be recorded on the RR-2 receiving property (proposed lot 4 of the CSM) indicating that the resident lot was created via a transfer of development rights.

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.**