

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11912**

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 Rutland

**Location:** Section 2

**Zoning District Boundary Changes**

**FP-35 to RR-1**

Parts of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

Commencing at the Southeast corner of Section 2; thence N00°10'46"E along the East line of the SE ¼, 690.31 feet to the point of beginning; thence N89°49'14"W, 285 feet; thence N00°10'46"E, 264 feet; thence West, 103 feet; thence North, 225 feet; thence East, 103 feet; thence North, 215 feet; thence West, 31 feet; thence N00°10'46"E, 300 feet; thence East, 295 feet; thence S00°10'46"W, 300 feet; thence West, 264 feet; thence South, 215 feet; thence East, 264 feet to the East line of the SE ¼; thence S00°10'46"W, 489 feet to the point of beginning. Containing 5.7 acres, being subject to a right of way for Starr School Road across the Easterly 33 feet.

**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.**

## 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 051002497300, 051002495500, 051002490003, 051002485000, 051002480020, 051002195903, 051002190006, 051002185003, and 051002180900 stating the following:
  - a. Further nonfarm development on the remaining FP-35 zoned land is prohibited. The housing density rights for the "original" farm have been exhausted per the Town Comprehensive Plan density policies.
  
2. A deed restriction shall be recorded on proposed Lot 2 stating the following:
  - a. No commercial use shall be allowed on proposed Lot 2.