

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition # 12131**

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 Perry

**Location:** Section 2

**Zoning District Boundary Changes**

**FP-35 to RR-4**

That part of the Southwest and Northwest 1/4s of the Southeast 1/4 of Section 2, Town 5 North, Range 6 East, Town of Perry, Dane County, Wisconsin, bounded and described as follows:

Beginning at the South 1/4 corner of said Section 2, thence N00°00'51"W along the North-South 1/4 line of Section 2, 1563.35', thence N89°59'09"E, 37.94'; thence S35°25'17"E, 538.59'; thence S29°03'09"E, 342.79'; thence S00°00'51"E, 813.26' to the South line of Section 2; thence S88°43'13"W, 516.50' to the point of beginning; subject to a public road right of way as shown and to any and all easements of record.

**FP-35 to RR-2**

That part of the Northeast 1/4 of the Southeast 1/4 of Section 2, Town 5 North, Range 6 East, Town of Perry, Dane County, Wisconsin, bounded and described as follows:

Commencing at the East 1/4 corner of said Section 2; thence S89°20'45"W along the East-West 1/4 line of Section 2, 663.46' to the Northeast corner of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2 and the point of beginning; thence S89°20'45"W, 436.46'; thence S00°14'37"W, 335.07'; thence N88°39'28"E, 436.57' to the East line of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2; thence N00°14'37"E, 329.83' to the point of beginning; subject to a public road right of way as shown and to any and all easements of record.

**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.

**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 050602480602, 050602495605, 050602490002 and 050602485009 stating the following:
  - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original E. J. Sutter farm have been exhausted per the Town Comprehensive Plan density policies.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s). 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.**