

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11576**

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 Dunn

Location: Section 17

Zoning District Boundary Changes

SFR-08 to RR-2

Lot 1 of CSM #5513 part of the SE ¼ of the NE ¼ of Sec 17, T6N, R10E, Town of Dunn, Dane County, Wisconsin.

RR-16 to RR-2

Part of the SE ¼ of the NE ¼ of Sec 17, T6N, R10E, Town of Dunn, Dane County, Wisconsin. Described as follows: Commencing at the East ¼ corner of Sec 17; thence N01°53'55"E, 33.11 feet to the North line of Mahoney Road and the point of beginning; thence S87°16'13"W along said North line, 160.50 feet; thence N01°54'25"E, 552 feet; thence S88°05'31"E, 160.06 feet to the east line of the NE ¼; thence S01°53'55"W, 134 feet to the NE corner of CSM #5513; thence N88°05'31"W, 160.08 feet to its NW corner; thence S01°54'25"W, 130.09 feet to its SW corner; thence S88°05'40"E, 160.10 feet to its SE corner and the West line of Tower Rd; thence S01°53'55"W, 274.34 feet to the point of beginning. Containing 1.5 acres more or less.

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 existing home at 4240 Mahoney Road shall be removed prior the rezone becoming effective.
2. A building and driveway envelope shall be depicted on the Certified Survey Map on the proposed 17-acre lot. A note shall be added to the CSM to identify that "all buildings and driveways constructed on the property shall be located within the building envelope area".

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 both properties stating the following:
 - a. Future land divisions of the properties are prohibited.
 - b. The housing density rights have been exhausted per the Town of Dunn Comprehensive Plan policies. Further residential development of the properties is prohibited.
 - c. There shall be one single family residence per lot.
 - d. The land uses on the properties shall be limited exclusively to the following:
 - i. One single family home one per parcel
 - ii. Small-scale farming
 - iii. Residential accessory buildings
 - iv. Home occupations
 - v. Incidental room rental
 - vi. Foster homes for less than five children
 - vii. Undeveloped natural resource and open space areas
 - viii. Utility services associated with a permitted use
 - ix. Transportation, utility, communication, or other use required by law
 - x. Conditional Uses listed under the Rural Residential Zoning District may also be allowed if obtained through the conditional use permit process.

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.**