

Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11800

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 16

Zoning District Boundary Changes

FP-1 TO NR-C (west side of 51)

A portion of land located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, T6N, R10E, Town of Dunn, Dane County, Wisconsin, more particularly described as follows: Commencing at the Northwest Corner of said Section 15; thence S 01°59'45" W along the west line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15, 94.98 feet to the point of beginning. Thence N 01°59'45" E along said east line, 386.12 feet to the westerly right of way line of United States Highway "51"; thence along said westerly right of way line for the next 5 courses; thence S 56°55'00" E, 15.62 feet; thence S 23°50'21" E, 184.42 feet; thence S 32°42'03" E, 234.92 feet; thence S 39°37'12" E, 176.64 feet; thence S 34°24'29" E, 865.79 feet to the south line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15; thence S 89°26'36" W along said south line, 859.46 feet to the west line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15; thence N 01°59'45" E along said line, 1,234.37 feet to the point of beginning. The above-described parcel contains 513,463 square feet or 11.79 acres.

FP-1 TO NR-C (east side of 51)

A portion of land located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, all within T6N, R10E, Town of Dunn, Dane County, Wisconsin, more particularly described as follows: Commencing at the Southwest Corner of said Section 10; thence N 01°25'30" E, 1,321.72 feet to the north line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10; thence N 89°32'01" E along said north line, 58.41 feet to the easterly right of way of United States Highway "51" and also the point of beginning. Thence continue N 89°32'01" E along said north line, 1,261.53 feet to the east line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10; thence S 01°15'23" W along said east line, 1,320.74 feet to the south line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10; thence S 01°44'37" W along the east line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15, 1,327.87 feet to the south line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15; thence S 89°26'36" W along said south line, 344.94 feet to the easterly right of way of United States Highway "51"; thence northwesterly along said easterly right of way for the next 4

courses; thence N 34°39'34" W, 936.23 feet; thence N 29°52'38" W, 176.64 feet; thence N 32°55'51" W, 214.63 feet; thence N 19°47'19" W, 78.16 feet to the south line of Certified Survey Map No. 6609; thence N 88°10'40" E, 246.85 feet; thence N 31°14'49" E, 207.90 feet; thence N 29°40'41" E, 128.14 feet; thence N 06°40'35" W, 36.97 feet; thence N 17°52'07" E, 371.06 feet; thence N 06°14'24" E, 159.03 feet; thence N 86°55'40" W, 623.99 feet to the easterly right of way of United States Highway "51"; thence northerly along said easterly right of way for the next 4 courses; thence N 04°50'16" E, 90.48 feet; thence N 00°04'31" W, 200.06 feet; thence N 02°55'56" W, 200.56 feet; thence N 01°30'20" W, 95.00 feet to the point of beginning. The above described portion contains 2,276,265 square feet or 52.26 acres.

FP-35 TO NR-C

A portion of land located in the NE ¼ of the NE ¼ of Section 16 and the NW ¼ of the NW ¼ of Section 15, all within T6N, R10E, Town of Dunn, Dane County, Wisconsin, more particularly described as follows: Commencing at the Northeast Corner of said Section 16; thence S 89°32'31" W along the north line of the NE ¼ of the NE ¼ of said Section 16, 818.10 feet to the point of beginning. Thence S 29°39'47" E, 591.01 feet; thence S 58°34'02" E, 126.17 feet; thence N 89°44'39" E, 163.97 feet; thence N 61°37'25" E, 114.93 feet; thence N 69°55'29" E, 144.89 feet to the east line of the NE ¼ of the NE ¼ of said Section 16; thence S 01°59'45" W along said east line, 848.25 feet to the south line of the NE ¼ of the NE ¼ of said Section 16; thence S 89°39'13" W, 1,322.49 feet to the west line of the NE ¼ of the NE ¼ of said Section 16; thence N 02°09'34" E along said west line, 1,326.94 feet to the north line of the NE ¼ of the NE ¼ of said Section 16; thence N 89°32'31" E along said north line, 500.71 feet to the point of beginning. The above described parcel contains 1,393,232 square feet or 31.98 acres.

FP-35 and SFR-1 TO RR-4

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 16, T6N, R10E, Town of Dunn, Dane County, Wisconsin, more particularly described as follows: Commencing at the Northeast Corner of said Section 16; thence S 89°32'31" W along the north line of the Northeast 1/4, 367.93 feet to the point of beginning. Thence S 00°27'03" E, 184.41 feet; thence N 89°36'18" E, 360.03 feet; thence S 01°59'45" W, 296.12 feet; thence S 69°55'29" W, 144.89 feet; thence S 61°37'25" W, 114.93 feet; thence S 89°44'39" W, 163.97 feet; thence N 58°34'02" W, 126.17 feet; thence N 29°39'47" W, 591.01 feet to the north line of the Northeast 1/4 of said Section 16 and also the centerline of Mahoney Road; thence N 89°32'31" E, 450.17 feet to the point of beginning. Said parcel contains 291,942 square feet or 6.70 acres and is subject to a 33.0 foot wide right of way over the most northerly part 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. Within 90 days of Dane County approval of the rezone petition, the transfer of the roughly 32 acres to Groundswell Conservancy shall be conducted via a quit claim deed, which adds this land to Groundswell's neighboring properties through a lot line adjustment.
2. For the new RR-4 zoned property:
 - a. Approval of a Certified Survey Map with a 2 acre building and driveway envelope depicted on the map. All buildings and driveways constructed on the property shall be located within the building envelope area.

CERTIFIED SURVEY REQUIRED (RR-4 Lot ONLY)

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 the RR-4 property, stating the following:
 - Future land divisions of the property is prohibited.
 - The development rights for the property have been exhausted and further residential development of the property is prohibited.
2. A deed restriction shall be recorded on the NR-C property, stating the following:
 - All structures on land within Section 10 of the Town of Dunn may be no taller than 14 feet in height (mean of roof) in order to help mitigate impacts

to views from Lower Mud Lake and better protect the Town's Lower Mud Lake Viewshed.

- Any future parks on this property shall only be for outdoor passive recreational uses that do not require a developed site or facilities to participate. Future parking lots and nonresidential buildings or structures accessory to any permitted use are allowed with proper permitting and Town siting approval.

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.