

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11863**

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 5

**Zoning District Boundary Changes**

**FP-35 to RR-4**

A parcel of land located in the NE ¼-SE ¼ of Section 5, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows: Commencing at the East ¼ corner of said Section 5; thence S 05°10'06" W, 669.35 feet along the East line of the SE ¼ of said Section 5; thence S 89°34'22" W, 33.16 feet to the point of beginning; thence S 05°10'06" W, 289.42 feet; thence S 89°41'43" W, 607.86 feet; thence N 05°50'26" E, 288.46 feet; thence N 89°34'22" E, 604.58 feet to the point of beginning, containing 4.00 acres.

**FP-35 to FP-1**

A parcel of land located in the NE ¼-SE ¼ and the NW ¼-SE ¼ of Section 5, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

Commencing at the East ¼ corner of said Section 5; thence S 05°10'06" W, 669.35 feet along the East line of the SE ¼ of said Section 5; thence S 89°34'22" W, 33.16 feet; thence S 05°10'06" W, 289.42 feet to the point of beginning; thence S 05°10'06" W, 66.30 feet; thence S 89°41'43" W, 598.24 feet; thence S 05°50'26" W, 307.24 feet; thence S 89°41'44" W, 2005.07 feet; thence N 05°08'34" E, 656.75 feet; thence N 89°34'22" E, 2003.18 feet; thence S 05°50'26" W, 288.46 feet; N 89°41'43" E, 607.86 feet to the point of beginning, containing 31.10 acres.

**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 on said land:

- Owner shall record a deed restriction on the proposed FP-1 parcel prohibiting nonfarm development or land division, as the density units have been exhausted (proposed lot 2 of the Certified Survey Map).

### 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.**