

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11157**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Rutland

Location: Section 12

Zoning District Boundary Changes

A-1EX and B-1 to C-2

PART OF THE NE ¼ OF THE NW ¼ OF SECTION 12, T.5N., R.10E., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 12; THENCE N87°28'07"W, ALONG THE NORTH LINE OF THE NW ¼, 530 FEET; THENCE S00°03'51"E, 33 FEET TO THE SOUTH LINE OF STATE HIGHWAY 138 AND THE POINT OF BEGINNING; THENCE CONTINUE S00°03'51"E, 448 FEET; THENCE N87°28'07"W, 487 FEET; THENCE N00°35'39"W, 448 TO THE SOUTH RIGHT OF WAY LINE OF S.T.H. "138"; THENCE S87°28'07"E ALONG SAID RIGHT OF WAY LINE, 489 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED CONTAINS 5.0 ACRES

A-1EX to A-2

Part of the NE ¼ of the NW ¼ of Section 12, T.5N., R.10E., Town of Rutland, Dane County, Wisconsin, described as follows: Beginning at the Northeast corner of the NE ¼ of the NW ¼; thence South, 1328 feet more or less to the Southeast corner of said ¼ - ¼; thence West, 1320 feet more or less to the Southwest corner of said ¼ - ¼; thence North, 1332 feet more or less to the Northwest corner thereof; thence East, 300 feet; thence S00°35'E, 481 feet; thence S87°28'E, 487 feet; thence North, 481 feet; thence East, 530 feet more or less to the point of beginning. Containing 32.5 acres more or less.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) 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 the A-2 parcel to prohibit land division of the property and require site plan approval from the Town Board prior to any development of the property.
2. A deed restriction shall be recorded on the C-2 parcel to limit the land uses to the following: Limit the land uses exclusively to landscaping, snow removal, tree care and similar contracting businesses, repairs and storage of contractors vehicles, machinery, and equipment, outdoor storage of landscaping materials, and a residence for a watchman/caretaker. Outdoor storage areas shall be shielded from view from Highway 138. Prohibit off-premises (billboard) signage, lighted signage, and outdoor loudspeakers.

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.**