

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11557**

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 35

Zoning District Boundary Changes

RM-16 to RR-2

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8273, LOCATED IN THE SE. ¼ OF THE SW. ¼ OF SECTION 35, T.5N., R.10E., OF THE 4TH P.M., RUTLAND TOWNSHIP, DANE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Beginning at the South ¼ of said Section; thence S.89°51'03"W. along the South line of the SW. ¼ of said Section, 750.0 feet; thence N.1°28'05"W. along the West line of said Lot 1, a distance of 193.6 feet; thence N.89°40'20"E. 230.0 feet; thence N.65°31'E. 122.2 feet; thence N.89°40'20"E. 180.0 feet; thence N.0°19'40"W. 22.0 feet; thence N.89°40'20"E. 48.0 feet; thence S.0°19'40"E. 22.0 feet; thence N.89°40'20"E. 180.0 feet to the North-South Centerline of said Section; thence S.1°28'05"E. along said North-South Centerline, 245.9 feet to the place of beginning.

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. A notice document shall be recorded on the RM-16 zoned property indicating that the lot was created as a result of a transfer of development rights.
2. The approximate extent of the sensitive environmental features (floodplain, wetland / 75' wetland buffer) shall be delineated on the final CSM. Any new structural development shall be located outside of the environmentally sensitive areas of the property.
3. The boundary of the proposed RR-2 parcel shall be amended to include the replacement septic area on the lot.
4. The TDR-S Sending area overlay zoning district shall be applied to the ~200 acre Nelson farm (tax parcels: 0510-342-8500-5, 0510-331-8000-3, 0510-273-9500-7, 0510-273-9000-2, 0510-273-8500-9, and 0510-273-8000-4).
5. A notice document shall be recorded on the ~200 acre Nelson farm indicating that 3 possible splits remain available.

6. TDR sending property owner (Nelson) shall record a deed restriction on a minimum of 70 acres of the FP-35 zoned property prohibiting nonfarm development in accordance with town plan policies. (Note: the 70 acres has been identified and legally described by the surveyor.)

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.**