

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11657**

Town Map: Town of Deerfield

Location: Section 33

Zoning District Boundary Changes

FP-35 to RR-2 and TDR-R

Part of the SW ¼ of the NW ¼ of Section 33, Town 7 North, Range 12 East, Town of Deerfield, Dane County, Wisconsin, described as follows:

Beginning at the Northeast corner of Lot 1 of Dane County Certified Survey Map number 8958; thence S87°24'01"W, 417.77 feet to the Northwest corner of said lot; thence S03°42'25"W along the West line of said lot, 353 feet; thence West, 237 feet; thence N00°22'E, 407 feet; thence N87°24'01"E, 673 feet; thence S02°17'46"E, 66 feet to the point of beginning. Containing 3 acres more or less.

RR-4 to RR-2 and TDR-R

Part of Lot 1, Dane County Certified Survey Map number 8958, being in part of the NW 1/4 of the SW 1/4 of Section 33, Town 7 North, Range 12 East, Town of Deerfield, Dane County, Wisconsin, described as follows:

Beginning at the Northeast corner of Lot 1 of survey number 8958; thence S87°24'01"W along the North line of said lot, 66 feet; thence S2°17'46"E, 69 feet to the North line of Nuland Road; thence Northeasterly along said North line, 74 feet to the East line of said lot 1; thence N02°17'46"E along said line, 35.76 feet to the point of beginning. Containing 0.08 acre 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 petition shall be amended so that the proposed RR-2 lot includes at least 66' of frontage onto Nuland Road by including land from the adjoining RR-4 zoned parcel #0712-333-8940-6. Said 66' wide portion of parcel #0712-333-8940-6 shall be rezoned from RR-4 to RR-2.
2. A 2-lot Certified Survey Map Parcel shall be prepared to establish the new RR-2 parcel and reconfigure the boundary of parcel #0712-333-8940-6 (lot 1 CSM 8958).
3. Owner shall record a deed restriction prohibiting further nonfarm development on the subject property in accordance with town of Deerfield plan policies on the remaining FP-35 zoned acreage (tax parcels 0712-333-8501-7 and 0712-333-9001-0).
4. Owner shall record a deed restriction on a minimum 35 acres of the FP-35 zoned sending property prohibiting nonfarm development (tax parcel 0712-242-8000-3).

5. A deed notice shall be recorded on the proposed RR-2 zoned lot indicating that it was created as part of a Transfer of Development Rights.
6. TDR-R (Transfer of Development Rights – Receiving) overlay zoning shall be assigned to the proposed RR-2 lot.
7. TDR-S (Transfer of Development Rights – Sending) overlay zoning shall be assigned to the sending property in section 33 (tax parcels 0712-242-8000-3, 0712-243-9500-5, 0712-243-8001-1, 0712-242-9501-5).

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.**