

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12293**

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 Cross Plains

Location: Section 21

Zoning District Boundary Changes

FP-35 to FP-1

That part of the Southeast and Southwest 1/4s of the Southeast 1/4 of Section 16, Town 7 North, Range 7 East, Town of Cross Plains, Dane County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of Section 16; thence N88°42'02"W along the South line of Section 16, 656.09' to the point of beginning; thence N88°42'02"W, 654.00' to the Easterly right of way line of Observatory Road; thence Northwesterly, 106.71' along said right of way line and the arc of a curve to the left whose radius is 393.00' and whose chord bears N21°09'38"W, 106.38'; thence N28°56'20"W along said right of way line, 267.42'; thence Northwesterly, 323.75' along said right of way line and the arc of a curve to the left whose radius is 1033.00' and whose chord bears N37°55'02"W, 322.42'; thence S86°50'10"E, 773.40'; thence S27°11'16"E, 200.26'; thence S41°22'03"E, 234.29'; thence S00°20'18"E, 205.78' to the point of beginning; containing 9.25 acres.

FP-35 to FP-1

That part of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 21, Town 7 North, Range 7 East, Town of Cross Plains, Dane County, Wisconsin, bounded and described as follows:

Commencing at the South 1/4 corner of Section 21; thence N00°49'37"E, 3986.92' to the point of beginning; thence N88°34'11"W, 826.29'; thence N06°15'54"E, 424.10'; thence N18°12'46"E, 550.51'; thence S86°57'06"E, 86.11'; thence N21°37'09"E, 331.85'; thence S88°17'50"E, 120.43'; thence S23°46'52"E, 302.92'; thence S00°52'55"E, 274.23'; thence S82°12'49"E, 448.71'; thence S56°52'21"E, 487.98'; thence S33°05'08"E, 139.71'; thence S85°16'26"E, 347.28'; thence S89°33'00"E, 181.84' to the Westerly right of way line of Observatory Road; thence S01°09'38"W along said right of way line, 131.79'; thence S00°25'57"W along said right of way line, 136.17'; thence N88°44'52"W, 1301.35' to the point of beginning; containing 30.48 acres.

FP-35 to RR-4

That part of the Southwest 1/4 of the Southeast 1/4 of Section 16 and the Northwest 1/4 of the Northeast 1/4 of Section 21, Town 7 North, Range 7 East, Town of Cross Plains, Dane County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of Section 21; thence S67°40'48"W, 1477.01' to the point of beginning; thence N88°00'16"W, 190.71'; thence N43°09'25"W, 245.94'; thence N01°11'23"E,

401.58'; thence N76°16'48"E, 317.27' to the Westerly right of way line of Observatory Road; thence S28°56'20"E along said right of way line, 5.56'; thence Southeasterly, 168.07' along said right of way line and the arc of a curve to the right whose radius is 327.00' and whose chord bears of S14°12'53"E, 166.22'; thence S00°30'34"W, 279.22'; thence S00°19'24"E, 217.58' to the point of beginning; containing 4.70 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.

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.**

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 remaining FP-35 zoned farm land (current parcels 070721280000, 070716491711, and 070721185015) that states:
 - a. Further residential/nonfarm development is prohibited. The housing density rights for the original Robert Kelter farm have been exhausted per the Town Comprehensive Plan density policies.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s). Failure to record the restriction(s) shall cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.

The Dane County Board of Supervisors does ordain that this amendment, based upon their findings, to be consistent with the provisions of section 91.48(1) of the Wisconsin Statutes and section 10.220(1)(b) of the Dane County Code of Ordinances.