

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11967**

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 Roxbury

Location: Section 14

Zoning District Boundary Changes

FP-35 to RR-2

A parcel of land located in the NE ¼ of the NE ¼ and the NW ¼ of the NE ¼ of Section 14, T9N, R7E, Town of Roxbury, Dane County, Wisconsin more particularly described as follows: Commencing at a railroad spike at the north ¼ corner of said Section 14; thence S89°26'50"E along the north line of the NE ¼ of said Section 14, 660.16 ft.; thence S00°00'00"E, 603.09 ft. to the centerline of County Highway Y at the point of beginning; thence N72°16'10"E, 730.23 ft. to a 3/4" solid round iron rod; thence S19°23'08"E, 242.73 ft. to the centerline of County Highway Y; thence S60°10'42"W (recorded as N60°02'29"E) along said centerline, 425.29 ft. to the point of curvature of a curve to the right having a radius of 180.00 ft. and a central angle of 74°38'56"; thence northwesterly along said centerline and the arc of said curve, 234.52 ft. to the point of tangency thereof, said curve having a long chord bearing N82°29'50"W, 218.28 ft.; thence N45°10'22"W along said centerline, 268.92 ft. to the point 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.

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 on said land:

1. A deed restriction shall be recorded on tax parcels 0907-141-8500-7, 0907-141-8070-8, and 0907-114-9000-3 stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Marvin Frey 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) 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.