

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12299**

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 Medina

Location: Section 4

Zoning District Boundary Changes

FP-35 to RR-4

Being a part of the fractional Northwest Quarter of the Northeast Quarter, Section 4, Town 8 North, Range 12 East, Town of Medina, Dane County, Wisconsin, described as follows:

Commencing at the North Quarter corner of Section 4; thence North 88°07'29" East along the North line of the Northeast Quarter, 33.06 feet; thence South 01°42'31" West, 33.06 feet to the South right-of-way line of Clarkson Road and being the point of beginning; thence North 88°07'29" East along said South right-of-way line, 599.62 feet; thence South 44°18'38" West, 765.39 feet; thence South 88°07'29" West, 80.51 feet; thence North 01°42'31" East, 530.94 feet to the point of beginning. Containing 180,201 square feet (4.137 acres), 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 TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to Lot 1.
2. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcel 0812-041-9000-2).

TRANSFER OF DEVELOPMENT RIGHTS DOCUMENTATION 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 document(s) on said land:

1. A deed notice shall be recorded on CSM Lot 1 that indicates it was created by a transfer of development rights.
2. A conservation easement shall be recorded on the TDR sending property (parcel 0812-041-9000-2) stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for this portion of the original Eugene Henning farm have been exhausted per the Town Comprehensive Plan density policies.

Failure to record the above document(s) shall cause the rezone to be null and void. A copy of the recorded document(s) 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.**

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.