

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 12069**

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 Montrose

Location: Section 22

Zoning District Boundary Changes

FP-35 to RR-2

Proposed Lot 1

Part of the SE1/4 & SW1/4 of the NW1/4, Section 22, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 22, Thence along the South line of said NW1/4, S89°22'52"E, 1194.44 feet to a point known as the Point of Beginning; Thence N00°35'59"W, 366.00 feet; Thence S89°12'49"E, 271.38 feet; Thence S00°35'59"E, 194.62 feet to the Right of Way Line of Rosevale Drive; Thence along a curve left 94.32 feet, said curve having a radius of 66.00 feet and a long chord of S44°22'01"W, 84.90 feet; Thence along west line of Rosevale Drive, S00°35'59"E, 109.86 feet to said South line of said NW1/4; Thence along said South line, N89°22'52"W, 204.46 feet to the Point of Beginning.

Said parcel contains 2.02 acres. Rezone from FP-35 to RR-2.

Proposed Lot 2

Part of the SE1/4 of the NW1/4, Section 22, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 22, Thence along the South line of said NW1/4, S89°22'52"E, 1194.44 feet; Thence N00°35'59"W, 366.00 feet; Thence S89°12'49"E, 271.39 feet to a point known as the Point of Beginning;; Thence S89°12'49"E, 496.79 feet; thence S01°15'44"E, 109.00 feet; Thence S74°18'07"W, 454.40 feet to the Right of Way of Rosevale Drive; Thence along said Right or Way on a curve left, 78.44 feet, said curve having a radius of 66.00 feet and a long chord of N53°08'56"W, 72.97 feet; Thence N00°35'59"W, 194.62 feet to the Point of Beginning.

Said parcel contains 2.10 acres. Rezone from FP-35 to RR-2.

Proposed Lot 3

Part of the SE1/4 of the NW1/4, Section 22, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 22, Thence along the South line of said NW1/4, S89°22'52"E, 1194.44 feet; Thence N00°35'59"W, 366.00 feet; Thence S89°12'49"E, 761.27 feet; Thence S01°15'44"E, 109.00 feet to a point known as the Point of Beginning; Thence S01°15'44"E, 255.29 feet to the South line of said NW1/4; Thence along said South Line N89°22'52"W, 494.95 feet to the East Right of Way line of Rosevale Drive, Thence along said Right of Way N00°35'59"W, 30.14 feet; Thence along said Right of Way on a curve right 29.94 feet, said curve having a radius of 25.00 feet and a long chord of N33°42'19"E, 28.18 feet; Thence along said Right of Way on a curve left 87.66 feet, said curve having a radius of 66.00 feet and a long chord of N26°09'22"E, 80.07 feet; Thence N74°18'07"E, 454.40 feet to the Point of Beginning. Said parcel contains 2.03 acres. Rezone from FP-35 to RR-2.

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. Applicants (Gehins) shall extend Rosedale Drive by 127 feet and construct a 66 foot radius cul-de-sac, to the satisfaction of the Town of Montrose, with all costs of the construction to be borne by the Gehins. (Developer agreement to be in place within one year of rezone approval.)

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 balance of tax parcels 0508-223-8520-0, 0508-222-9500-3, 0508-222-9000-8, 0508-222-8810-0, 0508-222-8001-0 & 0508-221-8610-3 that remain in FP-35 zoning stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Floyd and Charlotte Viney 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) will cause the rezone to be null and void. A copy of the recorded document 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.**