

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12302**

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 Dunkirk

Location: Section 26

Zoning District Boundary Changes

FP-35 to RR-2

Part of the NW. 1/4 of the NE. 1/4 of Section 26, T.5.N., R.11.E., of the 4th P.M., Town of Dunkirk, Dane County, Wisconsin.

Commencing at the Northeast corner of said Section 26; Thence S88°54'19"W. Along the North line of said Northeast quarter 1330.69 feet more or less to the point of beginning for the land to be herein described; Thence S00°09'59"E. 575.0 feet more or less; Thence S88°54'19"W. 285.0 feet more or less; Thence N00°09'55"W. 575.0 feet more or less to the said North line; Thence N88°55'02"E. 285.0 feet more or less along said North line 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.

1. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcel 051123485004).
2. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the proposed residential lot.

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. Applicant shall record an agricultural conservation easement (ACE) on 40 acres of FP-35 zoned land (tax parcel #051123485004).
2. A deed notice document shall be recorded on the proposed RR-2 lot indicating that the lot was created through a Transfer of Development Rights.

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.**

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.