

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11994**

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 Rutland

Location: Section 17

Zoning District Boundary Changes

FP-35 TO FP-1

A parcel of land located in the NW & SW ¼'s of the NE ¼ of Section 17, T5N, R10E, in the Town of Rutland, Dane County, Wisconsin being more particularly described as follows: Beginning at the North ¼ corner of said Section 17; thence N 88°35'25" E along the north line of said section, 556.98 feet; thence S 01°25'36" E, 33.00 feet; thence S 22°34'15" E, 232.69 feet; thence S 37°03'05" W, 390.12 feet; thence S 02°19'05" W, 275.00 feet; thence S 87°27'15" E, 922.06 feet; thence S 00°56'51" E, 431.88 feet; thence S 00°56'54" E, 677.11 feet; thence S 88°47'24" W, 678.18 feet; thence N 00°31'53" W, 677.15 feet; thence S 88°46'43" W, 643.50 feet; thence N 00°32'46" W, 1321.06 feet to the point of beginning. This description contains 34.34 acres and is subject to a road right of way of 33.00 feet over the most northerly part thereof.

FP-35 TO RR-8

A parcel of land located in the NW ¼ of the NE ¼ of Section 17, T5N, R10E, in the Town of Rutland, Dane County, Wisconsin being more particularly described as follows: Commencing at the North ¼ corner of said Section 17; thence N 88°35'25" E along the north line of said section, 723.02 feet to the point of beginning. Thence continue N 88°35'25" E, 120.10 feet; thence S 00°56'51" E, 662.70 feet; thence N 88°35'25" E, 464.41 feet; thence S 00°56'51" E, 230.83 feet; thence N 87°27'15" W, 629.06 feet; thence N 01°58'25" E, 851.59 feet to the point of beginning. This description contains 5.08 acres and is subject to a road right of way of 33.00 feet over the most northerly part thereof.

RR-4 TO RR-8

Lot 1, Certified Survey Map No. 11291, recorded in Vol. 68, on pages 167-168 as Doc. 4009307, located in the NW ¼ of the NE ¼ of Section 17, T5N, R10E, in the Town of Rutland, Dane County, Wisconsin being more particularly described as follows: Commencing at the North ¼ corner of said Section 17; thence N 88°35'25" E along the north line of said section, 843.12 feet to the point of beginning. Thence continue N 88°35'25" E, 281.00 feet; thence S 00°56'51" E, 662.70 feet; thence S 88°35'25" W, 281.00 feet; thence N 00°56'51" W, 662.70 feet to the point of beginning. This description contains 4.27 acres and is subject to a road right of way of 33.00 feet over the most northerly part thereof.

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 RR-8 zoned land (proposed Lot 1 of the Certified Survey Map) stating the following:

Further division of the property is prohibited.

2. A deed restriction shall be recorded on the balance of FP-1 zoned land (tax parcels 0510-171-8601-0 and 0510-171-9001-0, or proposed Lot 2 of the Certified Survey Map) stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-1 zoned land. The housing density rights for the original Richardson 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.