

**Dane County Board of Supervisors**  
**Amending Chapter 10 of the Dane County Code of Ordinances**  
**Zoning Map Amendment Petition # 12036**

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 30

**Zoning District Boundary Changes**

**FP-35 to RR-8**

Part of the NE1/4 of the SW1/4 and Part of the SE1/4 of the NW1/4, Section 30, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, described as follows: Commencing at the West Quarter Corner of said Section 30; Thence along the North line of the SW1/4, S89°46'34"E, 1438.57 feet; Thence S00°36'57"W, 104.5 feet to a point known as the Point of Beginning; Thence S89°46'34"E, 392.8 feet; Thence N25°38'21"E, 315.3 feet to West line of Lot 1, Certified Survey Map No. 5957; Thence along said West line, S51°47'56"E, 467.5 feet to the Centerline of Montrose Road; Thence along said Centerline on a curve left 78.6 feet, said curve having a radius of 1100 feet and a long chord of S48°57'40"W, 78.6 feet; Thence S46°57'16"W, 377.1 feet; Thence continuing along said Centerline on a curve right 495 feet, said curve having a radius of 2750 feet and a long chord of S52°06'35"W, 494.2 feet; Thence continuing along said Centerline, S57°15'54"W, 212.7 feet; Thence N00°36'57"E, 734.0 feet to the Point of Beginning. Said parcel contains 426,941 sq ft or 9.8 acres including Right of Way.

**FP-35 to RR-4**

Part of the NE1/4 of the SW1/4, Section 30, Town 5 North, Range 8 East, Town of Montrose, Dane County, Wisconsin, described as follows: Commencing at the West Quarter Corner of said Section 30; Thence along the North line of the SW1/4, S89°46'34"E, 1438.57 feet; Thence S00°36'57"W, 838.4 to the Centerline of Montrose Road, also known as the Point of Beginning; Thence along said Centerline, N57°15'54"E, 212.7 feet; Thence continuing along said Centerline on a curve left 495.0 feet, said curve having a radius of 2750 feet and a long chord of N52°06'35"E, 494.2 feet; Thence continuing along said Centerline, N46°57'16"E, 131.7 feet; Thence S00°36'57"W, 728.0 feet; Thence N89°27'31"W, 660.0 feet; Thence N00°36'57"E, 213.7 feet to the Point of Beginning. Said parcel contains 297,108 sq ft or 6.8 acres including Right of Way.

**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.

### 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 remaining FP-35 land (current tax parcels 0508-303-8041-3, 0508- 302-9521-1, 0508-302-8500-8, 0508-302-8002-0, 0508-301-9001-1, 0508-301-8500-9) stating the following:
  - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the 1978 Robert L. Murphy 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.**