

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12190**

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 York

Location: Section 13

Zoning District Boundary Changes

FP-35 to RR-2

Part of the Northeast Quarter and part of the Southeast Quarter of the Southwest Quarter and part of the Northwest Quarter and part of the Southwest Quarter of the Southeast Quarter, all in Section 13, Township 9 North, Range 12 East, in the Town of York, Dane County, Wisconsin; more fully described as follows: Commencing at the South Quarter corner of said Section 13; thence N00°25'32"W along the easterly line of the Southwest Quarter of said Section 13, 1264.43' to the point of beginning, point also being on the southerly right-of-way line of Raith Lane; thence S82°06'29"W, 692.79' to the easterly right-of-way line of State Trunk Highway 89 (S.T.H. 89); thence N26°25'48"W along said S.T.H. 89, 69.61' to the northerly right-of-way line of Raith Lane; thence N82°06'29"E, 723.57' to the East line of the southwest quarter of said Section 13; thence along said East line, N00°25'32"W, 133.75'; thence N86°04'17"E, 74.39'; thence N00°25'32"W, 109.74'; thence N48°16'13"E, 55.31'; thence N89°33'53"E, 215.24'; thence S00°26'07"E, 278.14' to the south line of the Northwest Quarter of the Southeast Quarter of said Section 13; thence 86°45'38"W along said south line, 109.70'; thence S72°34'44"W, 231.07'; thence S82°06'29"W, 0.54' to the point of beginning.

This description contains approximately 136,013 square feet or 3.12 acres.

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. This rezone petition shall become effective only upon the Town Board approval to vacate the Raith Lane road right-of-way.
2. The septic system shall be located entirely within the new lot, and its location shall be shown on the Certified Survey Map.
3. An agricultural access easement shall be provided through the residential lot, or a separate agricultural access permit shall be obtained for field access.

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 tax parcels 0912-134-8600-4, 0912-133-8000-1, 0912-131-9100-0, and 0912-133-9500-4 stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Betty & Fred Woldt 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.**