



Dane County Planning and Development Department

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August 2, 2024

KENNEDY HILLS LLC
306 W QUARRY ST
DEERFIELD, WI 53531

**RE: Conditional Approval of Zoning Petition 12048
Delayed Effective Date Deadline**

Please be advised that rezone petition **#12048** has been conditionally approved by the Dane County Board. However, specific conditions are required to be met within a limited time in order for the zoning change to become effective.

Attached is the ordinance amendment which lists the conditions of approval. The conditions listed on the attached zoning ordinance amendment shall be completed prior to the delayed effective date of:

Conditional approval expires: **August 2, 2026**

If a Certified Survey Map is required, please contact your surveyor to submit a survey application as soon as possible. A survey submitted close to or on the delayed effective date may cause the zoning approval to become null and void.

If you are not able to meet these conditions by the specified deadline date, contact the Zoning Department to communicate your reasons for needing more time. A limited extension may be granted for extenuating circumstances.

If you have any questions or concerns, please contact the Zoning Division at (608) 266-4266.

Sincerely,

Roger Lane
Zoning Administrator

Cc: DAVE RIESOP, wismapping@charter.net

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12048**

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 Cottage Grove

Location: Section 3

Zoning District Boundary Changes

AT-35 to SFR-08

Parts of the SW ¼ of the SE ¼ of Section 3, and the NW ¼ of the NE ¼ of Section 10, all in T.7N., R.11E., Town of Cottage Grove, Dane County Wisconsin, described as follows: Commencing at the South ¼ corner of Section 3; thence N88°52'56"E along the South line of said section, 50.02 feet to the East line of Kennedy Road, and the point of beginning; thence N00°03'46"E along said East line, 150.38 feet to the Southwest corner of Lot 2, Dane County Certified Survey Map number 10354; thence N89°59'46"E, 180.17 feet to the Southeast corner of said lot; thence N00°03'12"E, 359.69 feet to the Northeast corner of Lot 1 of said Certified Survey; thence N89°51'54"W, 180.11 feet to its Northwest Corner thereof and the East line of Kennedy Road; thence N00°03'46"E along said East line, 829.75 feet to the South line of Dane County Certified Survey Map number 2081; thence N88°57'21"E along the South line of said Certified Survey and the South line of the West Ridge Addition to American Heritage, 1280.49 feet to the Northwest corner of Outlot 1 of the plat of American Heritage; thence S00°09'32"W, 1338.68 feet to the Northwest corner of the plat of South Slope Addition to American Heritage; thence S00°20'50"W along the West line of said plat, 310.05 feet to the Northeast Corner of the plat of Kennedy Hills; thence N89°39'09"W, 200.00 feet; thence S34°11'25"W, 118.51 feet; thence N83°05'37"W, 552.79 feet; thence N89°40'30"W, 196.17 feet; thence N71°17'12"W, 69.56 feet; thence N89°40'30"W, 200.39 feet to the Northwest corner of the plat of Kennedy Hills and the East line of Kennedy Road; thence N00°19'30"E along said East line, 290.90 feet to the point of beginning. The above described containing 47.636 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. Up to 50 residential lots may be platted on the SFR-08 zoned land.
2. The TDR-S (Sending Area) overlay zoning district shall be applied to tax parcels 0711-123-8000-9 and 0711-123-9500-2 (Badger Farms LLC).
3. The TDR-R (Receiving Area) overlay zoning district shall be applied to the portion of the proposed SFR-08 property corresponding to tax parcel 0711-101-8502-0.

RECORDING OF AN APPROVED PLAT REQUIRED

The above listed description(s) is/are intended to describe land for which a subdivision plat conforming to all applicable provisions of Chapter 236 of Wisconsin Statutes and Chapter 75, Dane County Code of Ordinances will be prepared for approval and recorded. This amendment will become effective, if within two years of its approval by Dane County, a plat that described the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the plat will cause this amendment to be null and void. A copy of the recorded plat 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 notice shall be recorded on the receiving area property indicating that the SFR-08 zoned property was created by a transfer of development rights.
2. Two separate agricultural conservation easements prohibiting nonfarm development on a minimum of 35 acres shall be recorded on each of the following two identified sending properties:
 - a. Tax parcel 0711-364-9000-6 (Duane and Linda Skaar)
 - b. Tax parcels 0711-123-8000-9 and 0711-123-9500-2 (Badger Farms LLC)

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.