

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11040**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

**Town Map:** Town of Black Earth

**Location:** Section 29

**Zoning District Boundary Changes**

**A-1EX to RH-2**

Located in the NE  $\frac{1}{4}$ -NE  $\frac{1}{4}$ , the NW  $\frac{1}{4}$ -NE  $\frac{1}{4}$ , the SW  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NE  $\frac{1}{4}$  of Section 29, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, described as follows: Commencing at the East  $\frac{1}{4}$  corner of said Section 29; thence N 00°37'20" E, 1248.96 feet along the East line of the NE  $\frac{1}{4}$  of said Section 29; thence N 90°00'00" W, 1155.96 feet to the point of beginning; thence S 89°15'00" W, 175.00 feet; thence N 48°00'00" W, 482.95 feet; thence N 00°00'00" E, 124.42 feet; thence N 90°00'00" E, 524.03 feet; thence S 00°00'00" E, 160.01 feet; thence S 90°00'00" W, 362.34 feet; thence S 48°00'00" E, 232.50 feet; thence N 90°00'00" E, 398.50 feet; thence S 36°14'00" W, 194.76 feet; thence S 03°45'25" W, 203.66 feet; thence S 49°32'00" E, 40.27 feet; thence S 67°30'00" W, 109.60 feet along the Northerly r/w line of John Wilkinson Road; thence N 00°00'00" E, 298.70 feet to the point of beginning, containing 4.06 acres, more or less.

**RH-3 to RH-2**

Being a part of Lot 1 of Dane County Certified Survey Map No. 12468, recorded in Volume 78 of Certified Survey Maps on page 33, located in the SW  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NE  $\frac{1}{4}$  of Section 29, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, described as follows: Commencing at the East  $\frac{1}{4}$  corner of said Section 29; thence N 00°37'20" E, 1248.96 feet along the East line of the NE  $\frac{1}{4}$  of said Section 29; thence N 90°00'00" W, 1155.96 feet; thence S 00°00'00" W, 298.70 feet; thence S 67°30'00" W, 19.48 feet; thence N 74°39'17" W, 49.78 feet to the point of beginning; thence Southerly, 104.24 feet along the arc of a curve to the left having a central angle of 255°41'26" and a radius of 66.00 feet, the long chord of which bears S 44°39'17" E, 104.20 feet; thence N 67°30'00" E, 138.09 feet along the Southerly r/w line of John Wilkinson Road; thence S 22°30'00" E, 114.65 feet; thence S 60°35'00" W, 438.31 feet; thence S 89°15'00" W, 462.43 feet; thence N 00°00'00" E, 358.54 feet; thence S 89°02'48" E, 599.55 feet to the point of beginning, containing 5.24 acres, more or less.

### **RH-3 to A-1EX**

Being a part of Lot 1 of Dane County Certified Survey Map No. 12468, recorded in Volume 78 of Certified Survey Maps on page 33, located in the SE ¼-NE ¼ and SW ¼- NE ¼ of Section 29, all in Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, described as follows: Commencing at the East ¼ corner of said Section 29; thence N 00°37'20" E, 1248.96 feet along the East line of the NE ¼ of said Section 29; thence N 90°00'00" W, 1155.96 feet to the point of beginning; thence S 89°15'00" W, 665.53 feet; thence S 00°00'00" W, 274.29 feet; thence S 89°02'48" E, 599.55 feet; thence Southeasterly, 49.78 feet along the arc of a curve to the right having a central angle of 44°18'34" and a radius of 66.00 feet, the long chord of which bears S 74°39'17" E, 49.78 feet, said arc also being the Northerly r/w line of John Wilkinson Road; thence N 67°30'00" E, 19.48 feet along the Northerly r/w line of John Wilkinson Road; thence N 00°00'00" E, 298.70 feet to the point of beginning, containing 4.35 acres, more or less.

### **CONDITIONAL ZONING**

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) 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 parcels 0806-291-9002-0, 0806-291-8500-0, 0806-291-8131-0 and 0806-291-9621-0 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. 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.**