

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition # 12110**

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 Deerfield

**Location:** Section 31

**Zoning District Boundary Changes**

**FP-35 and RR-2 to RR-8**

Lot 1, Dane County Certified Survey Map number 7780, together with and being a part of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , all in Section 31, Town 7 North, Range 12 East, Town of Deerfield, Dane County, Wisconsin, described as follows: Commencing at the Northwest corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence N88°26'00"E, 232.56 feet to the point of beginning; thence continue N88°26'00"E, 1100 feet to the Northeast corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$ ; thence S01°50'29"E along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$ , 1261.22 feet; thence N88°55'57"E, 22.78 feet; thence S41°0'35"W, 94.08 feet to the centerline of Schadel Road; thence S71°06'31"W along said centerline, 85.92 feet; thence N01°50'29"E, 31.77 feet to the Southeast corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence S88°31'11"W along the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$ , 1095 feet; thence N02°03'31"W, 1324.9 feet to the point of beginning. Containing 33.6 acres more or less.

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. A shared driveway easement shall be shown on the CSM, and a shared driveway easement agreement shall be recorded that addresses maintenance and owner responsibilities and meets the standards in DCCO s. 75.19(8).
2. Steep slope topography exceeding 20% grade shall be depicted on the CSM. A note shall be placed on the CSM which states: "No structural development or driveways are permitted on areas with slopes over 20% grade."

**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 tax parcels 071231295001, 071231380007, and 071231395000 stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original D & J Skaar 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.