

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition # 12115**

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 Burke

**Location:** Section 8

**Zoning District Boundary Changes**

**RM-16 to RR-8**

Part of the NW ¼ of the NE ¼ and the SW ¼ of the NE¼ of Section 8, Town 08 North, Range 10 East, Town of Burke, Dane County, Wisconsin, described as follows:

COMMENCING at the North ¼ Corner of Section 8; thence S87°58'46"E, 1330.68 feet along the north line of the NE ¼ of Section 8 to the northeast corner of the NW ¼ of said NE ¼; thence S00°38'36"W, 599.47 feet along the east line of the NW ¼ of the NE ¼ of Section 8 to the POINT OF BEGINNING; thence continuing S00°38'36"W, 737.50 feet along the east line of the NW¼ of the NE¼ of Section 8 to the southeast corner of said NW ¼ of the NE ¼; thence S00°39'30"W, 667.84 feet along the east line of the SW ¼ of the NE ¼ of Section 8 to the south line of the N ½ of said SW ¼ of the NE ¼; thence N87°32'02"W (previously surveyed as N87°56'07"W), 300.15 feet along the south line of the N ½ of the SW ¼ of the NE ¼ of Section 8; thence N06°02'05"W, 686.81 feet; thence N31°30'36"E, 353.75 feet; thence N34°09'46"E, 240.04 feet; thence N00°38'36"E, 36.49 feet; thence S78°36'27"W, 166.66 feet; thence N00°38'36"E, 208.15 feet; thence S89°21'24"E, 229.00 feet to the POINT OF BEGINNING. Containing 392,640 square feet, 9.01 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. The Certified Survey Map shall delineate a 100' x 100' building envelope area located in the northern portion of the property outside of the wetlands and buffer area. A note shall be added to the Certified Survey Map stating that, "All buildings constructed on the property shall be within the building envelope area as part of the conditions of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #12115".

2. A note shall be added to the certified survey map which states, "The property has indicators which identify the area is prone to flooding. Any building floor level or basement floor level shall have an elevation no lower than 862 feet ASL".

#### 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 CSM lot identifying the potential of flooding. The deed restriction shall state, "The property has indicators which identify the area is prone to flooding. Any building floor level or basement floor level shall have an elevation no lower than 862 feet ASL".

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.**