

**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 10751**

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 22

**Zoning District Boundary Changes**

**A-1EX to A-2(8)**

Located in part of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 21 and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 22, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, described as follows: BEGINNING at the West Quarter Corner of Section 22; thence N89°59'44"E, 606.08 feet along the north line of the SW  $\frac{1}{4}$  of Section 22 to the centerline of C.T.H. "KP"; thence S03°29'08"E, 485.58 feet along the centerline of C.T.H. "KP" to a point of curvature; thence continuing along the centerline of C.T.H. "KP" and the arc of said curve to the left with a central angle of 11°17'44", a radius of 1041.74 feet and a long chord of S09°08'00"E, 205.38 feet; thence S65°01'52"W, 1040.40 feet; thence S65°37'39"W, 253.27 feet; thence S56°32'11"W, 590.13 feet; thence S74°35'59"W, 354.06 feet to the west line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 21; thence N00°21'13"E (recorded as N00°21'07"E), 770.45 feet along the west line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of said SE  $\frac{1}{4}$  of Section 21 to a point lying 880.44 feet south of the northwest corner of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence S89°38'47"E (recorded as East), 297.00 feet; thence N30°21'13"E (recorded as N30°E), 759.00 feet; thence N58°55'21"E, 439.33 feet (recorded as N57°E, 424.38 feet) to the north line of the SE  $\frac{1}{4}$  of Section 21 said point lying 1051.38 feet east of the northwest corner of the NE  $\frac{1}{4}$  of said SE  $\frac{1}{4}$ ; thence S89°58'18"E, 277.81 feet along the north line of the SE  $\frac{1}{4}$  of Section 21 to the POINT OF BEGINNING; Containing 1,810,700 Square Feet, 41.57 acres (1,787,660 Square Feet, 41.04 acres, excluding road right-of-way).

**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.

1. The Certified Survey Map shall depict a "no build area" on the steep slopes as shown on the presented map. A note shall be added to the Certified Survey Map stating that, "Buildings are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #10751".

2. A shared driveway agreement shall be recorded on the properties pursuant to Dane County Code of Ordinance Section 75.19(8) to allow for 2 lots to be created without public road frontage.

### **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 placed on parcels 0806-223-8501-0, 0806-214-9500-1, 0806-214-8000-8 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.**