

Dane County Rezone Petition

Application Date	Petition Number
07/21/2022	DCPREZ-2022-11886
Public Hearing Date	
09/20/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME BUCKYS PORTABLE TOILETS INC	PHONE (with Area Code) (608) 835-3459	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 1282 COUNTY HIGHWAY MM		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip)	
E-MAIL ADDRESS sales@buckyspt.com		E-MAIL ADDRESS	

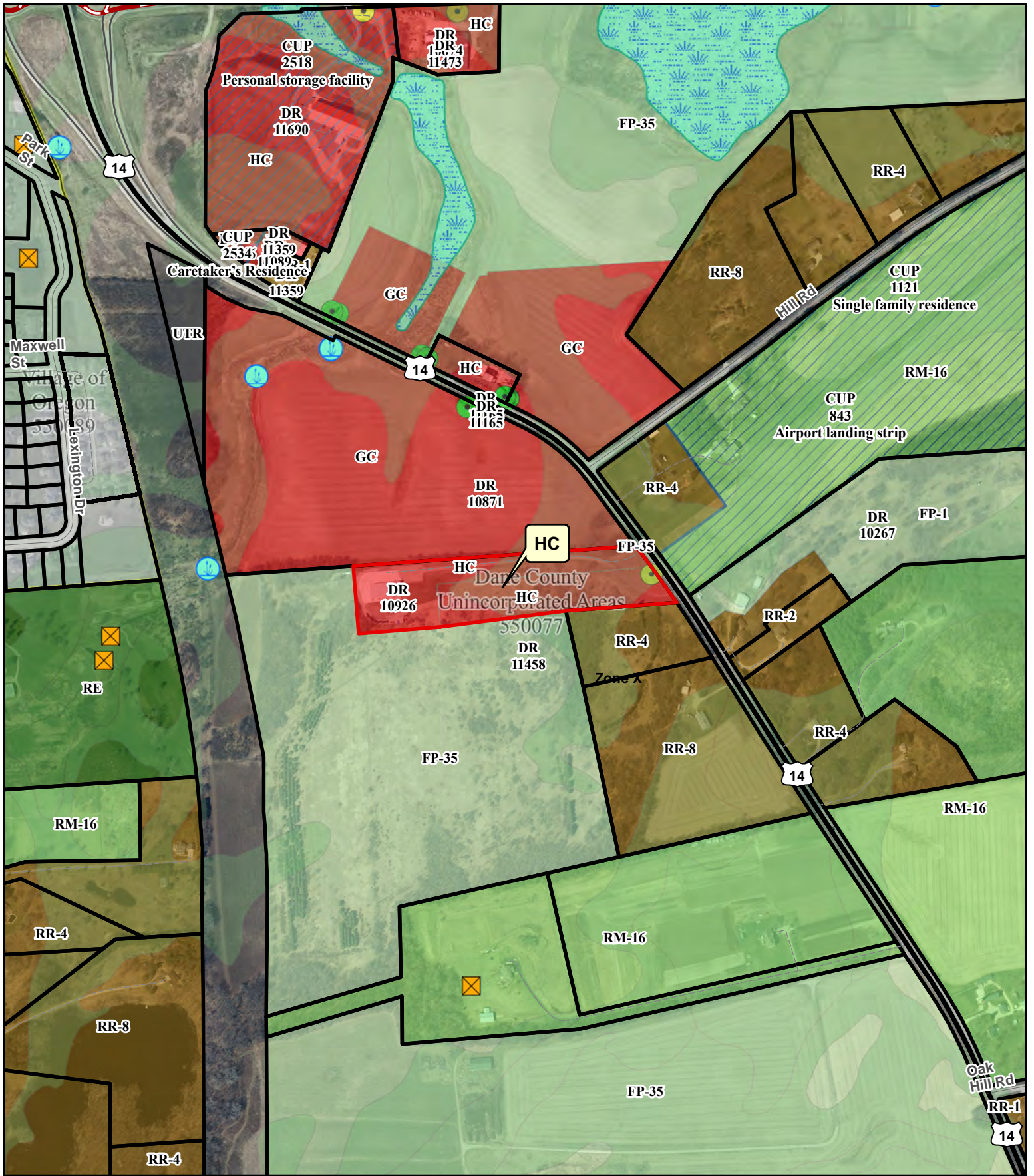
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
1185 US Highway 14					
TOWNSHIP RUTLAND	SECTION 7	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-073-8000-6		0510-074-8571-0			

REASON FOR REZONE





REVISE DEED RESTRICTION TO ALLOW 5 TENANT SPACES AND ADDITION TO BUILDING

FROM DISTRICT:	TO DISTRICT:	ACRES
HC Heavy Commercial District	HC Heavy Commercial District	9.6

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
---	--	--	---	---




Legend

- | | |
|---|---|
|  Wetland | Significant Soils |
|  Floodplain |  Class 1 |
| |  Class 2 |



0 150 300 600 Feet



Petition 11886
**BUCKYS PORTABLE
 TOILETS INC**



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> • PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION. 	

REZONE APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Bucky Portable Toilets, LLC	Agent Name:	
Address (Number & Street):	1282 County Hwy MM	Address (Number & Street):	
Address (City, State, Zip):	Oregon, WI 53575	Address (City, State, Zip):	
Email Address:	sales@buckyspt.com	Email Address:	
Phone#:	608-835-3459	Phone#:	

PROPERTY INFORMATION

Township:	Rutland	Parcel Number(s):	0510-073-8000-6, 0510-074-8571-0
Section:	7	Property Address or Location:	1185 US Highway 14

REZONE DESCRIPTION

<p>Reason for the request. In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
---	---

Revise deed restriction on the property to allow 5 tenant spaces on the property. Currently only 4 tenant spaces are allowed on the property per the deed restriction under Rezoning petition #10926.

I will be moving my business, Buckys Dumpsters and Restooms LLC, to the property as originally planned. A 60x100 addition will be added to the existing building.

See attached operations plan.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
HC- Heavy Commercial	HC - Heavy Commercial	9.6 acres
	Deed restriction revised	

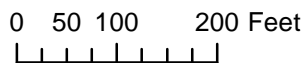
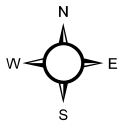
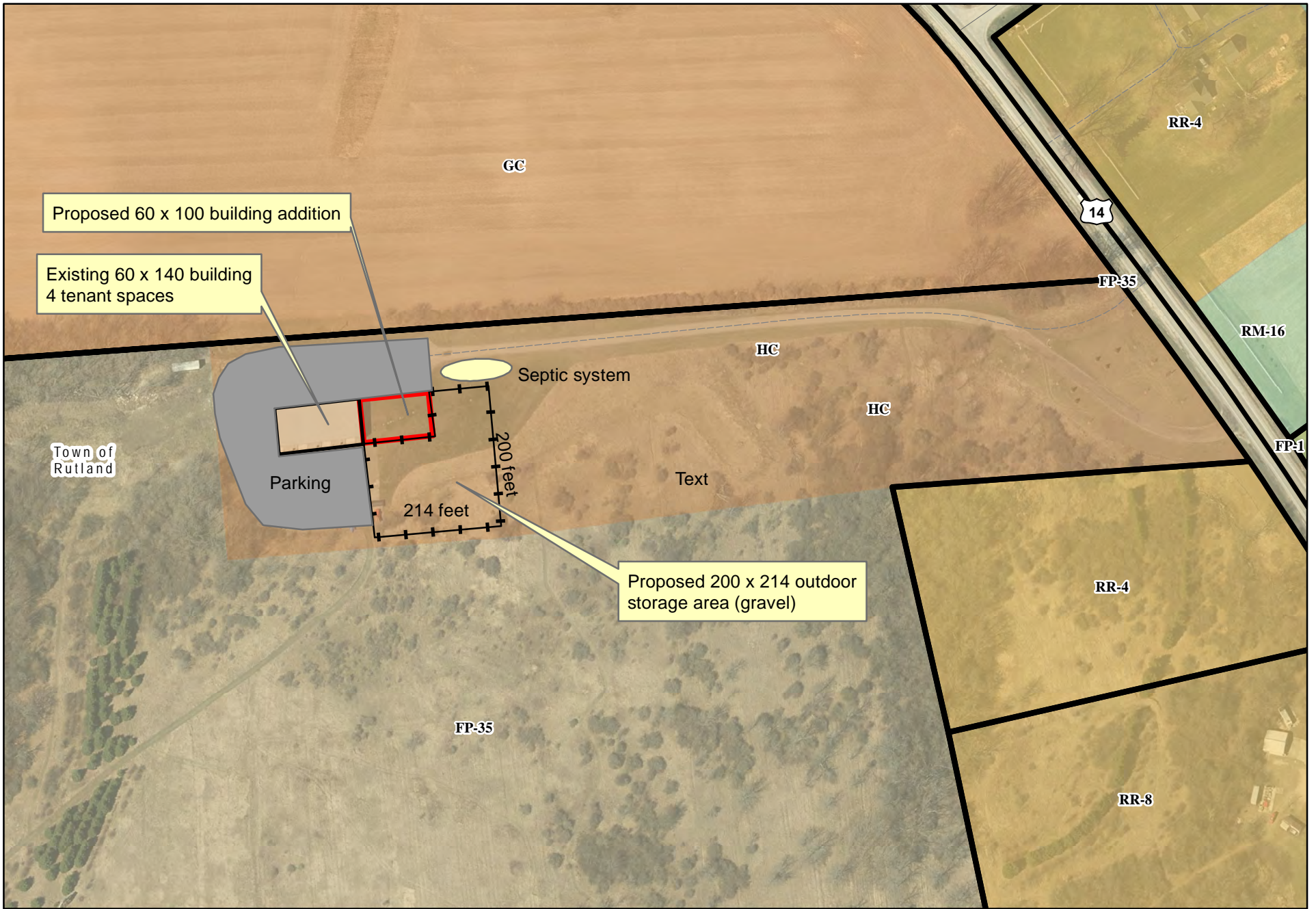
Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for commercial development proposals, or as may be required by the Zoning Administrator.

<input type="checkbox"/> Scaled drawing of proposed property boundaries	<input type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee (non-refundable), payable to the Dane County Treasurer
---	---	---	--	--

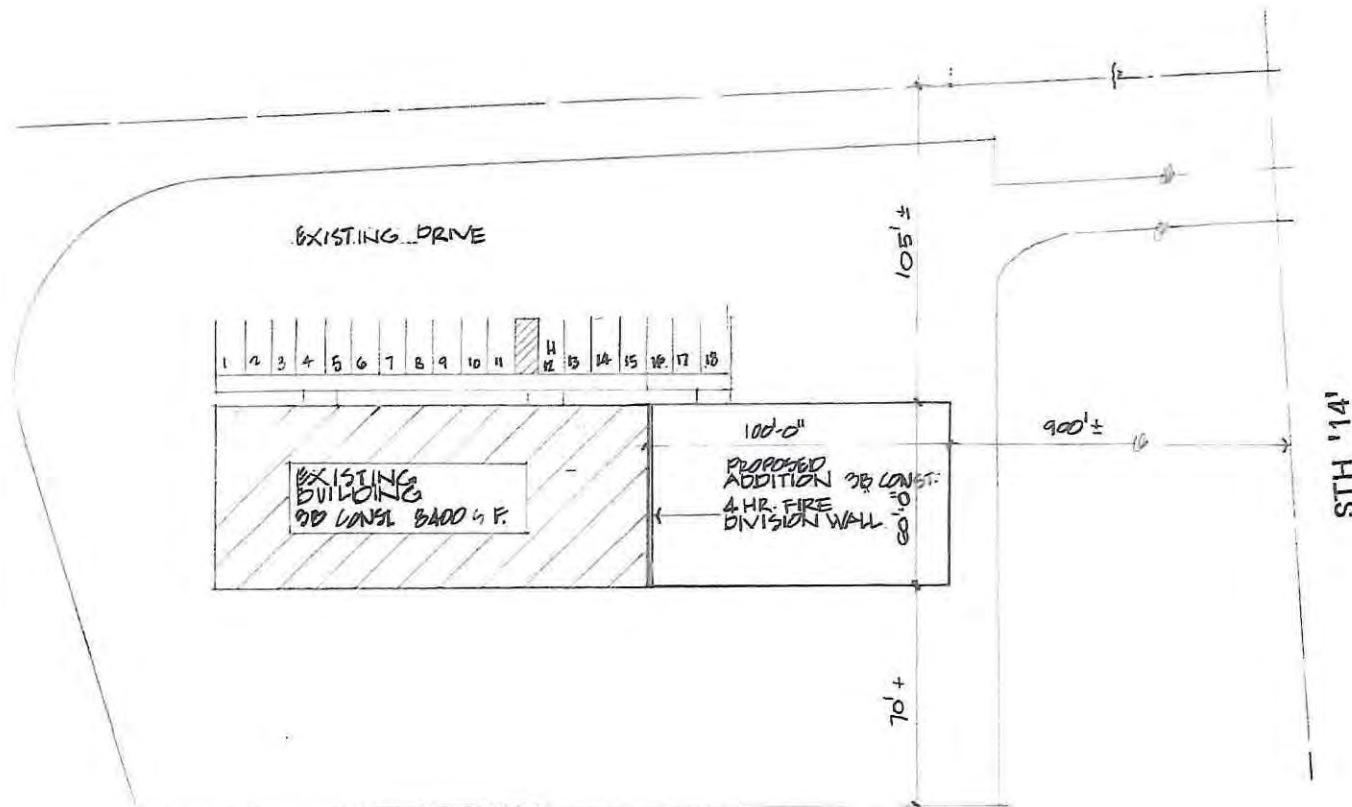
I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature _____

Date _____



Operations Plan - Buckys Dumpsters and Restrooms LLC - 1185 US Hwy 14

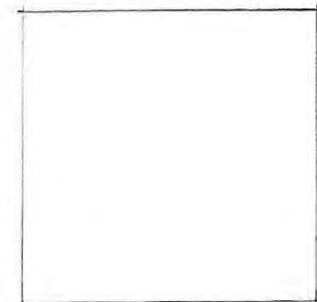


SITE PLAN

SCALE: 1" = 40'-0"

PLAN SHEET INDEX

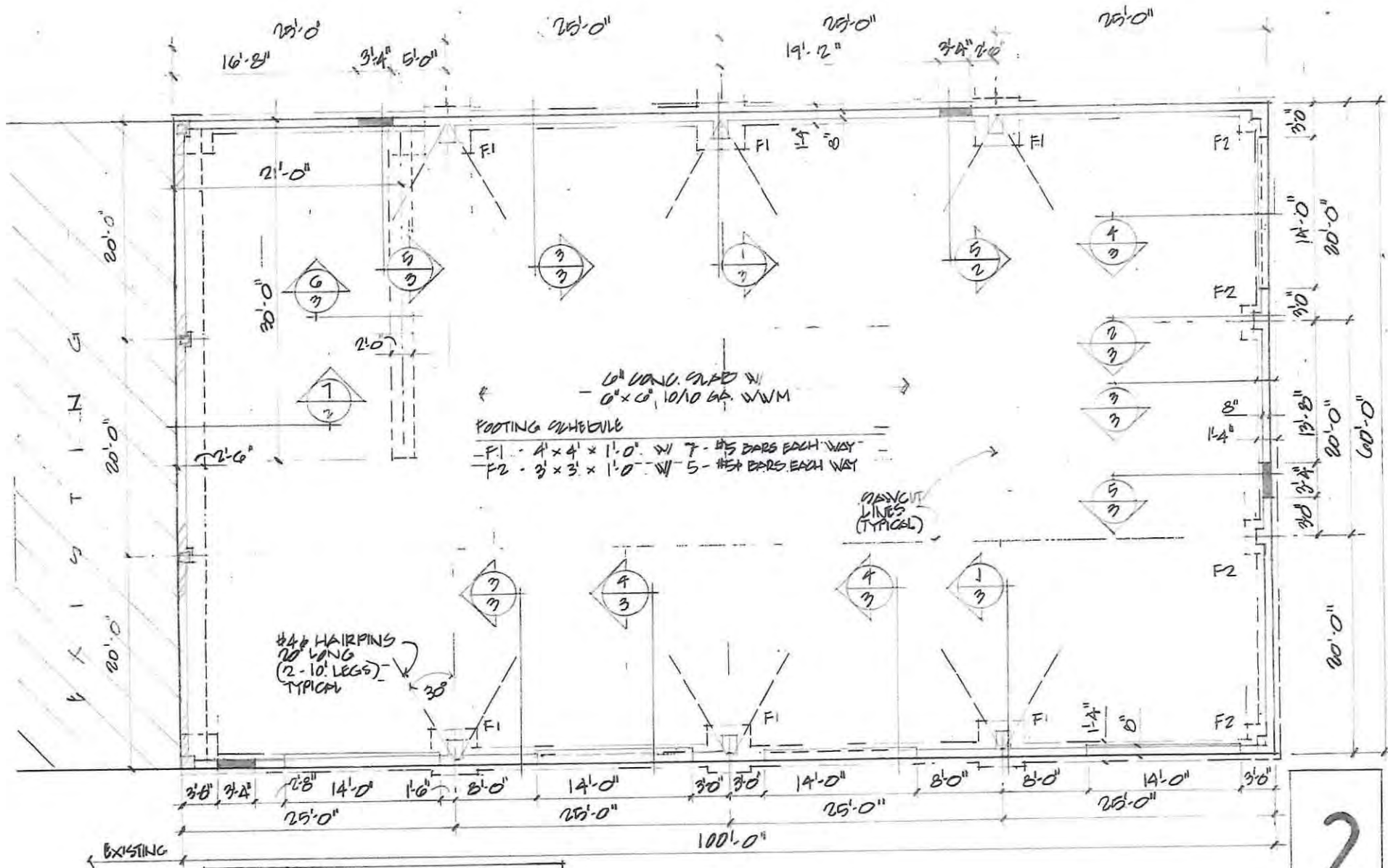
- 1. SITE PLAN
- 2. FOUNDATION PLAN
- 3. FOUNDATION DETAILS
- 4. FLOOR PLAN
- 5. BUILDING ELEVATIONS
- 6. CROSS-SECTION



RODNEY W. HELT, AIA
 REGISTERED ARCHITECT
 8114 PAULSON ROAD
 VERONA, WI 53593
 608-848-8881

12-13-21
 1

ENCL'S



6" CONC. SLAB W/
 0" x 0" 10/10 GA. WWM

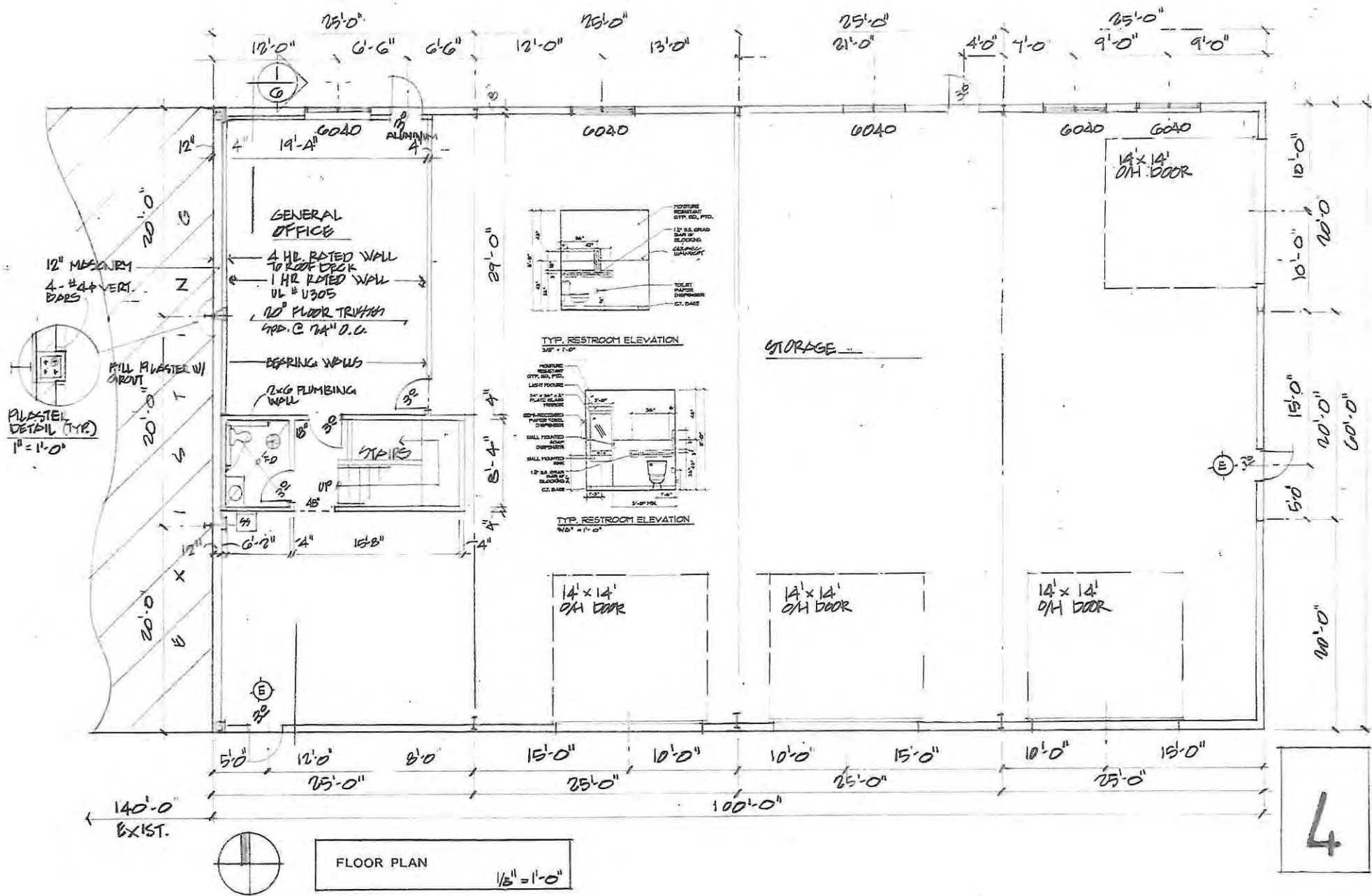
FOOTING SCHEDULE

F1	4' x 4' x 1'-0"	W/ 7 #5 BARS EACH WAY
F2	3' x 3' x 1'-0"	W/ 5 #5 BARS EACH WAY

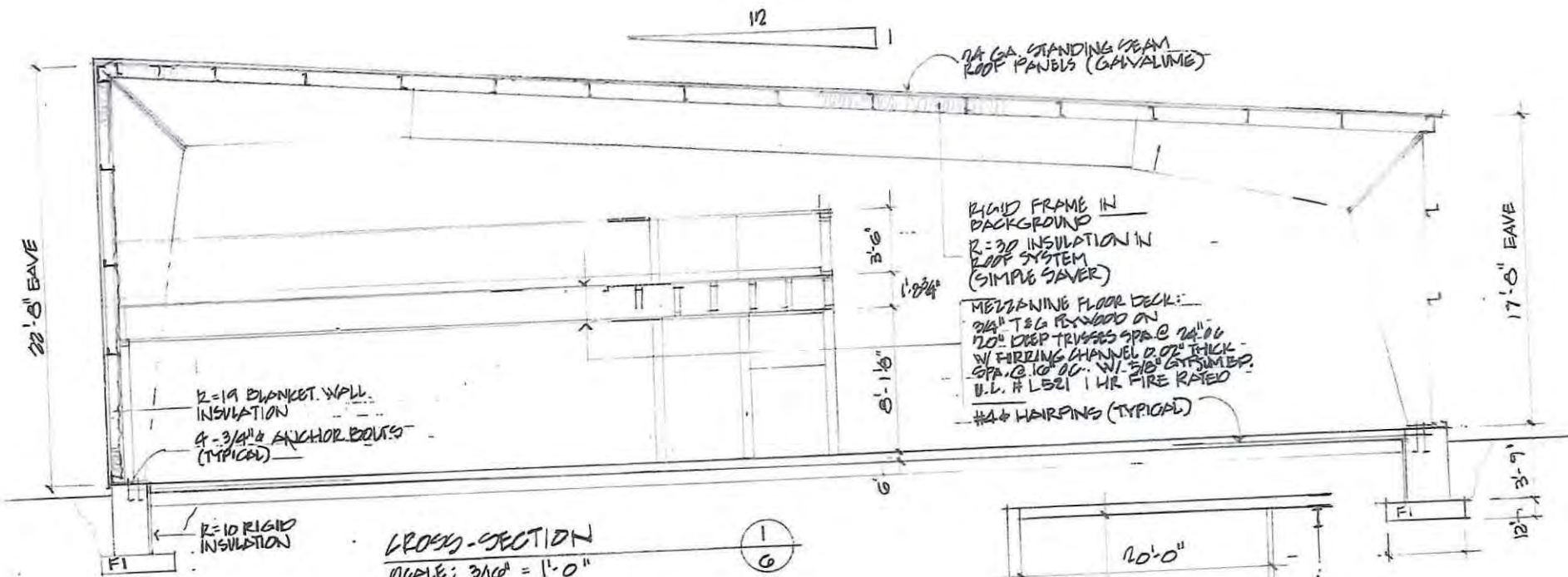
#4 HAIRPINS
 20" LONG
 (2-10" LEGS)
 TYPICAL

MANICURE
 LINES
 (TYPICAL)

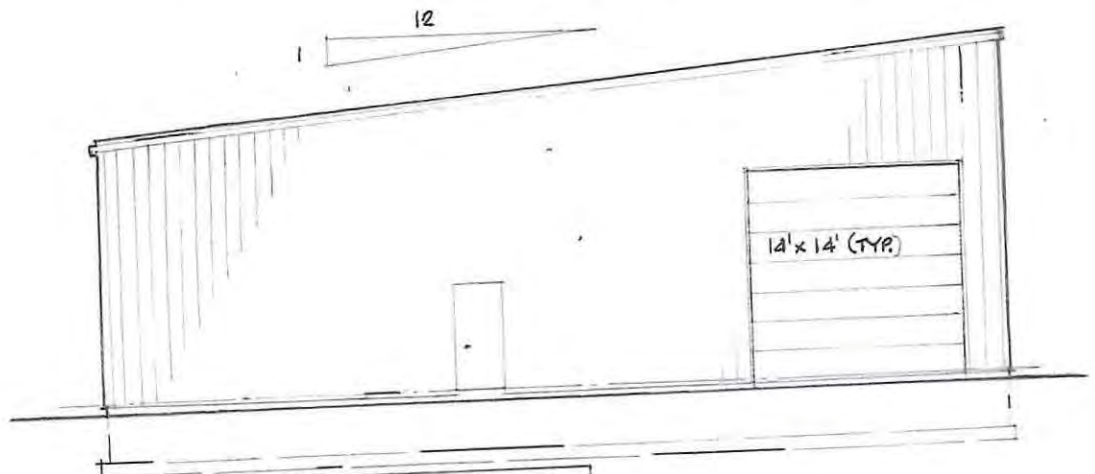
FOUNDATION PLAN
 1/8" = 1'-0"



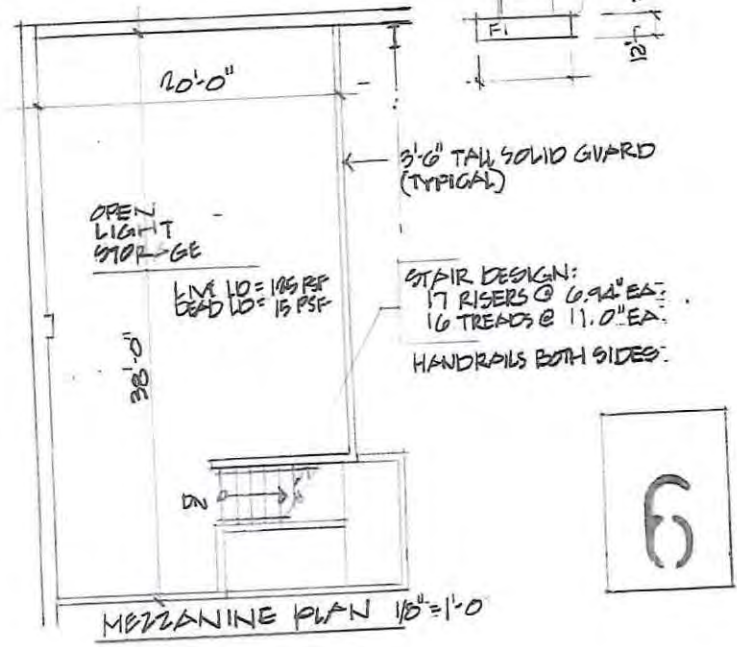
4



CROSS-SECTION
 SCALE: 3/16" = 1'-0"



EAST ELEVATION
 1/8" = 1'-0"





24 GA. STANDING
SEAM. ROOF SHEETS

20 GA. COLORED
WALL SHEETS
(MATCH EXIST.)

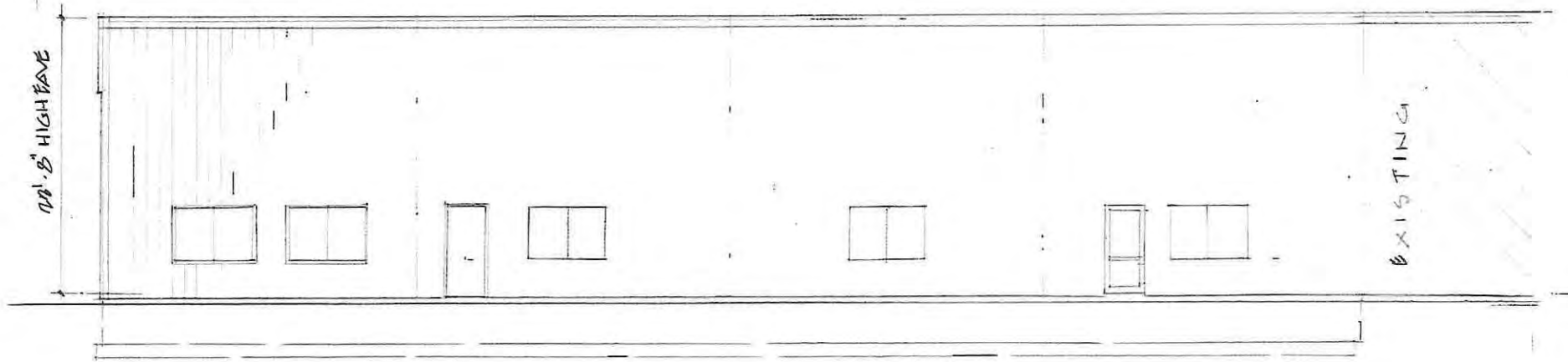
14' x 14' (TYP)

MATCH FLOOR LINES

GRADE LINE

NOT SHOWN:
GUTTERS & DRAIN-
SPOUTS

SOUTH ELEVATION
1/8" = 1'-0"

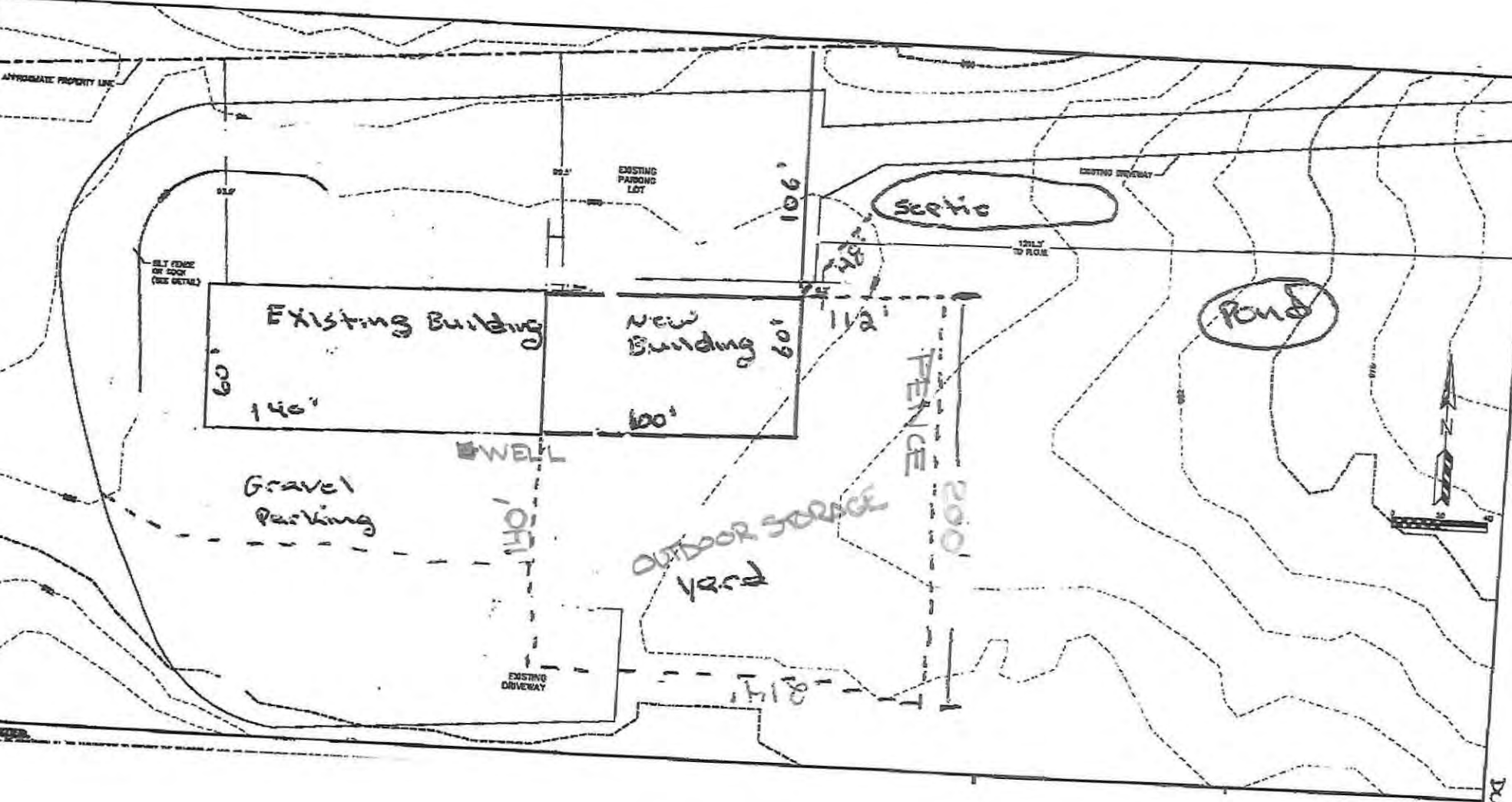


20'-8" HIGH EAVE

EXISTING

NORTH ELEVATION
1/8" = 1'-0"

1558 (808) 838-7750 \BU-85-16\BUSBASE.DWG
McFarland, Suite A - McFarland, 1558 (808) 838-7750 \BU-85-16\BUSBASE.DWG



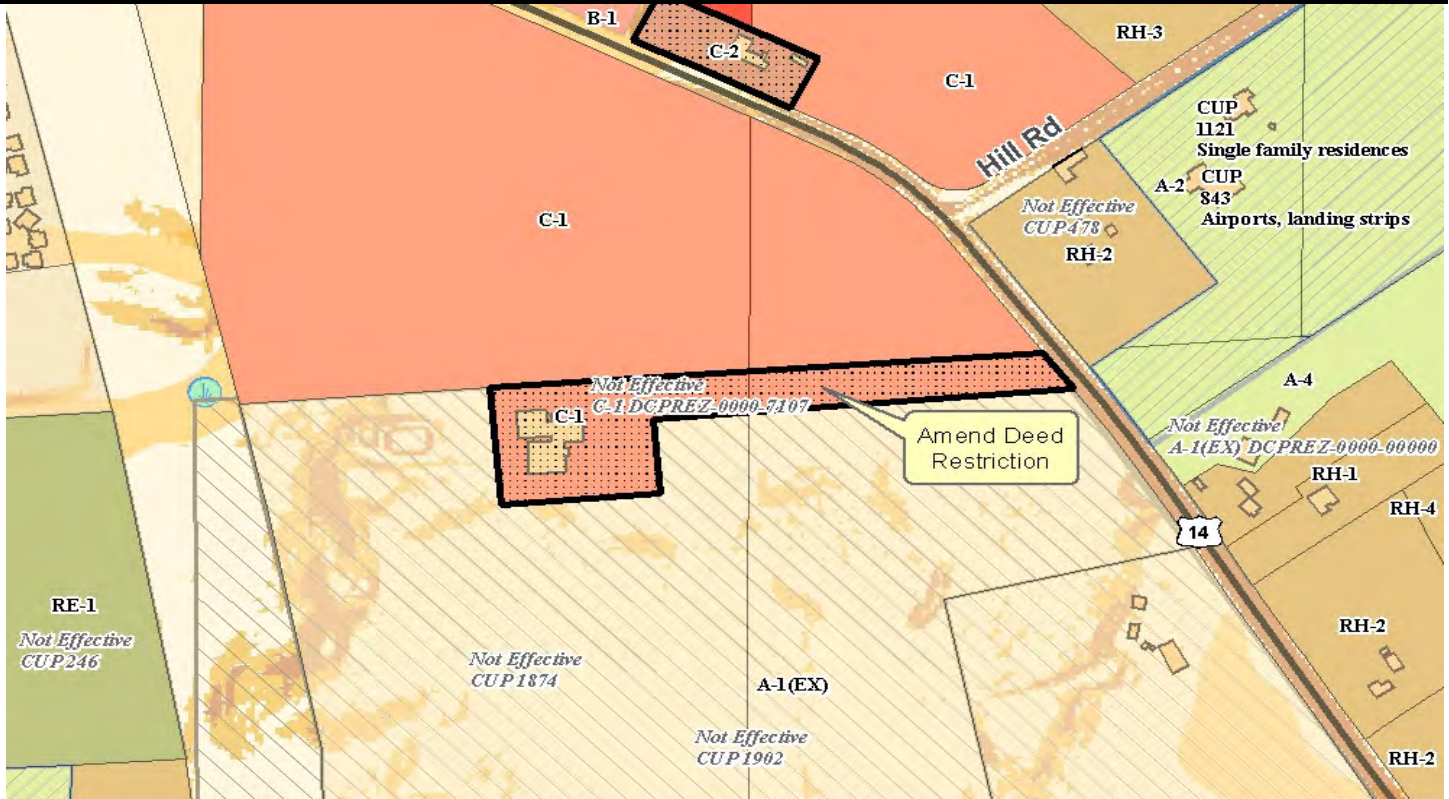
DC



Staff Report

<i>Public Hearing:</i> January 26, 2016	<i>Petition:</i> Rezone 10926
<i>Zoning Amendment:</i> None	<i>Town/sect:</i> Rutland Section 07
<i>Acres:</i> 4.5 <i>Survey Req. No</i>	<i>Applicant</i> Buckys Portable Toilets Inc
<i>Reason:</i> Remove deed restriction to allow the construction of a multi-tenant building and outdoor storage	<i>Location:</i> 1185 US Highway 14

Zoning and Land Regulation Committee



DESCRIPTION: The petitioner would like to amend the deed restrictions on the property to allow the property to be redeveloped. The proposal is to construct a new 8400 square-foot building. The building will be designed for office space for Bucky's Portable Toilets along with several other commercial business spaces. There is a designated area for the outside storage of portable toilets.

OBSERVATIONS: The majority of the 70-acre property is pasture land. There 4.5 acres designated for commercial purposes (not a separate lot). The property was previously used as a lab animal breeding facility. The current deed restrictions on the property limit the use specifically to a breeding facility. The building was demolished in the fall of 2015.

Approximately 15% of the property consists of Class II soils. There are no other sensitive environmental features observed. The property is just east of the Highway 14 realignment corridor.

TOWN PLAN: The property is located in a Commercial Development Area. The area is intended for a host of small to medium commercial businesses in designated areas.

RESOURCE PROTECTION: The property is outside the resource protection area.

STAFF: In order to allow outdoor storage of material, the zoning district classification will need to be changed to C-2 Commercial Zoning District. Staff suggests limiting the land uses on the property to ones compatible with the surrounding area.

TOWN: Approved conditioned upon the zoning district being amended to C-2 Commercial and 6 conditions. See attached sheet.

Petition 10926 continued

1/26 ZLR meeting: Petition was postponed due to no town action.

Suggested Conditions:

A Deed Restriction shall be recorded on the property with the following conditions:

1. Land Uses shall be limited to: portable toilet rental business; outdoor storage of portable toilet units in designated area (see site plan); offices and manufacturing facilities; office and warehousing for construction businesses; warehousing of business supplies; indoor storage of vehicles; and repair of lawn and garden equipment.
2. Land uses expressly prohibited: outdoor storage of material other than portable toilets and related equipment; storage units; storage of personal belongings (mini-warehousing).
3. There shall be a maximum of 4 businesses operating on the property.
4. Division of property through a condominium plat is prohibited.
5. A site plan shall be approved by the Town Board showing building layout, outdoor storage area, employee/equipment parking area and business signage prior to issuance of zoning and building permits.
6. Off premises (billboard) signage is prohibited.

The existing building showing on this picture is no longer there. The building was taken down first part of December 1st 2015. Bucky's portable rest rooms will build a 60x140 metal building. Plans to have out door storage of our equipment.





9 0 2 2 2 8 7
Tx:8778264

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
5251842**

**07/20/2016 10:55 AM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 3**

DEED RESTRICTIONS
PETITION NO. 10926

Use black ink & print legibly

WHEREAS,

BUCKYS PORTABLE TOILETS
(CHARLES KERNS)

Recording area

Name and return address:

**BUCKYS PORTABLE TOILETS
1202 COUNTY HIGHWAY MM
OREGON, WI 53575**

is owner of the following described real estate in the
Town of Rutland, Dane County, Wisconsin further
described as follows:

Parent Parcel Number(s):

0510-073-8000-6
0510-074-8570-6

Part of the NE 1/4 of the SW 1/4, and part of the NW 1/4 of the SE 1/4 of Section 7, Town of Rutland, described as follows: Commencing at the East quarter corner of said Section 7; thence S85°29'46" West along the East-West quarter line of said Section 7; 1913.14 feet to the centerline of old US Highway 14 and the point of beginning; thence S37°08'45" East, 64.00 feet to a point of curvature; thence along a curve to the right through a central angle of 00°18'34" an arc distance of 30.95 feet, a radius of 5,729.58 feet and a chord bearing S36°59'27" East, 30.95 feet; thence S85°29'46" West, 1038.63 feet; thence S04°30'14" East, 199.97 feet; thence S85°29'46" West, 383.24 feet; thence N04°30'14" West, 279.97 feet to the East-West quarter line of said Section 7; thence N85°29'46" East along said East-West quarter line, 1370.72 feet to the point of beginning.

WHEREAS, said owners desire to place certain restrictions and notice on the above-described real estate, to bind the owner(s) and those who may acquire title hereafter.

WHEREAS, the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Rutland, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

THEREFORE, the following restrictions are hereby imposed on the area that holds the zoning district classification of C-2 commercial:

1. Land Uses shall be limited to: portable toilet rental business; outdoor storage of portable toilet units in designated area (see site plan); offices and manufacturing facilities; office and warehousing for construction businesses; warehousing of business supplies; indoor storage of vehicles; and repair of lawn and garden equipment.
2. Land uses expressly prohibited: outdoor storage of material other than portable toilets and related equipment; storage units; storage of personal belongings (mini-warehousing).
3. There shall be a maximum of 4 businesses operating on the property.
4. Division of property through a condominium plat is prohibited.
5. A site plan shall be approved by the Town Board showing building layout, outdoor storage area, employee/equipment parking area and business signage prior to issuance of zoning and building permits.
6. Off premises (billboard) signs are prohibited on the property.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.

The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.

2. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.
3. A rezoning of the subject property to a different zoning district shall also act to terminate the restrictions set forth herein.

Date

7-20-16
Date

Signature of Grantor (owner)

Charles Kerns
Signature of Grantor (owner)

*Name printed

Charles Kerns
*Name printed

This document was drafted by:
(print or type name below)

Dane County Planning & Development

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 7-20-2016 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07) Shelly J. Seehafer

Print or type name: Shelly J. Seehafer

Title Real Estate Specialist Date commission expires: 2-20-2020

*Names of persons signing in any capacity must be typed or printed below their signature.
P&D form 2/20/2001

HC – Heavy Commercial zoned property

Part of the NE 1/4 of the SW 1/4, and part of the NW 1/4 of the SE 1/4 of Section 7, Town of Rutland, described as follows: Commencing at the East quarter corner of said Section 7; thence S85°29'46" West along the East-West quarter line of said Section 7; 1913.14 feet to the centerline of old US Highway 14 and the point of beginning; thence S37°08'45" East, 64.00 feet to a point of curvature; thence along a curve to the right through a central angle of 00°18'34" an arc distance of 30.95 feet, a radius of 5,729.58 feet and a chord bearing S36°59'27" East, 30.95 feet; thence S85°29'46" West, 1038.63 feet; thence S04°30'14" East, 199.97 feet; thence S85°29'46" West, 383.24 feet; thence N04°30'14" West, 279.97 feet to the East-West quarter line of said Section 7; thence N85°29'46" East along said East-West quarter line, 1370.72 feet to the point of beginning.