
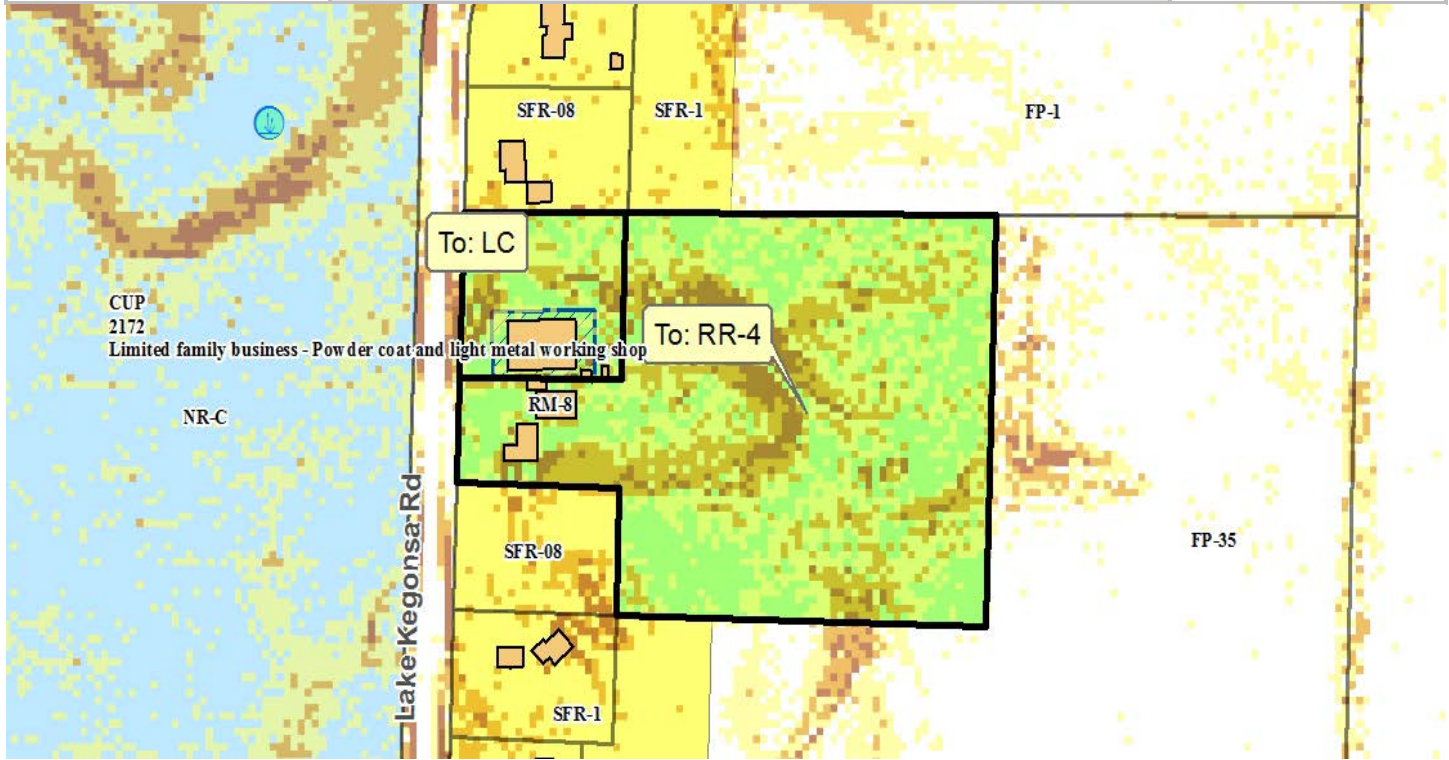


Staff Report  Zoning and Land Regulation Committee Questions? Contact: Majid Allan: 267-2536 allan@countyofdane.com	<i>Public Hearing:</i> February 23, 2021	Petition 11656	
	<i>Zoning Amendment Requested:</i> RM-8 Rural Mixed-Use District TO LC Limited Commercial District, RM-8 Rural Mixed-Use District TO RR-4 Rural Residential District	<i>Town/Section:</i> RUTLAND, Section 2	
	<i>Size:</i> 1.14, 7.14 Acres	<i>Survey Required:</i> Yes	<i>Applicant</i> KYLE RAASCH
	<i>Reason for the request:</i> Creating a Limited Commercial lot to separate metal working shop from the existing residence		<i>Address:</i> 1478 LAKE KEGONSA RD



DESCRIPTION: Owner Kyle Raasch wishes to separate the existing metalworking and powder coating workshop (K.R. Kustoms) from the existing residence by creating a new ~1 acre LC (Limited Commercial) parcel. The existing residence would be located on a second parcel (“parcel B”) and zoned RR-4 (Rural Residential). The workshop is currently permitted under a Conditional Use Permit (CUP) for a Limited Family Business. The proposed separation is being requested for “financial loan reasons”. The workshop business is owner-operated and does not have any employees. In addition to the LC zoning, a CUP for Light Industrial is required to ensure zoning compliance for the business. The owner has submitted CUP 2515, which is scheduled for the March 23 ZLR public hearing. Applicant indicates that both resulting lots will remain in single ownership.

OBSERVATIONS: The existing use of the property is limited commercial (workshop) and rural residential. Surrounding land uses are agriculture/open space, and rural residential. No sensitive environmental features observed. The workshop is accessed via a wide driveway onto Lake Kegonsa Road. The property is mostly wooded, with a mature stand of trees serving as a buffer with the adjacent residential property to the north. No new development is proposed.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: No resource protection corridors located on the subject property.

STAFF: The proposal appears reasonably consistent with town plan policies which allow for the establishment of both Limited Family Businesses and, *“small, rural oriented businesses”*, provided the use fits with the character of the area. The existing business has been in operation since 2011 and no expansion is being proposed. A mature stand of trees provides a natural buffer with the residential property to the north, and the applicant indicates that the workshop is well insulated to help limit potential for noise complaints. In the related CUP submittal, applicant indicates that no hazardous materials or chemicals are used in the business, and that a dust collector is used to properly capture and dispose of particulate waste from the powder-coating work.

Pending town consideration and action on the proposed rezoning, staff recommends that the petition be approved with the following conditions:

1. Any conditions or restrictions that may be required by the town of Rutland.
2. The owner shall record a deed restriction on lots 1 & 2 of the Certified Survey Map prohibiting the properties from being sold separately.
3. The owner shall record a deed restriction on the LC (Limited Commercial) zoned parcel that limits commercial uses to the existing metalworking and powder coating shop.

TOWN: Approved with conditions (see town action report).