

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 10674

Dane County Zoning & Land Regulation Committee Public Hearing Date 5/27/2014

Whereas, the Town Board of the Town of Rutland having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one): **Approved** **Denied** **Postponed**

Town Planning Commission Vote: 7 in favor 0 opposed 0 abstained

Town Board Vote: 4 in favor 0 opposed 0 abstained

THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

- 1. *Deed restriction* limiting use(s) in the C-2 zoning district to **only** the following:
See attached conditions and restrictions.
- 2. *Deed restrict* the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
- 3. *Deed restrict* the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
- 4. *Condition* that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
- 5. *Other Condition(s)*. Please specify:

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Dawn George, as Town Clerk of the Town of Rutland, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 5/6/2014

Town Clerk Dawn George Date: 5/7/2014

The following shall be the only permitted uses:

1. Sales, rental and leasing, repair and service of new and used agricultural and landscaping implements and equipment.
2. Sales, rental and leasing, repair and service of new and used lawn and garden equipment.
3. Sales, rental and leasing, repair and service of new and used contractor's machinery, equipment and vehicles used in the operation of the business.
4. Sales, rental and leasing, repair and service of new and used recreational equipment.
5. Rental and leasing of new and used items not listed above.
6. Related sales of incidental related items, and sales of agricultural and dairy products not produced on the premises and incidental sales of pop and candy.
7. There will be a recorded 33 foot wide easement in favor of the Town along the entire east side of the parcel for a possible future road.
8. The owner of the parcel will be responsible for a share of the cost of construction of a road on the easement if and when a road is developed. This share would be based on the front footage of each parcel.
9. Access to that future road shall replace the driveway to the property on State highway 138.
10. Storage and repair of equipment and materials related to a landscaping business including but not limited to lawn care, snow removal, landscape contracting and sifting and re-chopping of landscape materials.
11. Retail of landscaping, lawn care, snow removal and landscape maintenance and design materials including nursery plants.
12. Property landscape improvements and outdoor display to include but not limited to decorative rock and pavers, plantings, fencing and water features.
13. All outdoor equipment storage areas and outdoor material storage areas shall be screened from view at street level.
14. All outdoor lighting shall be downward shining.