

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11656**

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: RUTLAND **Location:** Section 2

Zoning District Boundary Changes

RM-8 to LC

Part of Lot 1, Certified Survey Map No. 8540, located in the Southeast 1/4 of the Northwest 1/4, Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of Section 2, thence S89°01'59"W, 1298.70 feet along the North line of Section 2; thence S00°26'00"W, 1361.41 feet; thence N89°01'59"E, 33.01 feet to the point of beginning. thence S00°26'00"W, 215.41 feet along the North right of way of Lake Kegonsa Road; thence N89°14'32"E, 231.05 feet; then S00°26'00"W, 216.26 feet; thence S89°01'59"W, 231.06 feet to the point of beginning. Containing 49,857 square feet or 1.14 acres.

RM-8 to RR-4

Part of Lot 1, Certified Survey Map No. 8540, located in the Southeast 1/4 of the Northwest 1/4, Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of Section 2, thence S89°01'59"W, 1298.70 feet along the North line of Section 2; thence S00°26'00"W, 1361.41 feet; thence N89°01'59"E, 33.01 feet; thence S00°26'00"W, 215.41 feet along North right of way of Lake Kegonsa Road to the point of beginning. thence S00°26'00"W, 135.93 feet; thence S89°31'00"E, 231.00 feet along the West line of Lot 2 Certified Survey Map No. 8540; thence S00°26'00"W, 165.00 feet along the North line of Lot 2, Certified Survey Map No. 8540; thence S89°31'00"E, 528.00 feet; thence N00°26'00"E, 535.56 feet; thence S89°01'59"W, 528.16 feet; thence S00°26'00"E, 216.26 feet; thence S89°14'32"E, 231.05 feet to the point of beginning. Containing 311,226 square feet or 7.14 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.

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. The owner shall record a deed restriction on lots 1 & 2 of the Certified Survey Map prohibiting the properties from being sold separately.
2. The owner shall record a deed restriction on the LC (Limited Commercial) zoned parcel placing the following limitation on the property:
 - a. The land uses shall be limited to the existing metalworking and powder coating shop operating on the property. A Conditional Use Permit shall be obtained for the Light Industrial land use.
 - b. Business activities shall be limited to the hours of 7:00 am to 8:00 pm, Monday through Friday.
 - c. Outdoor storage that is within the existing two (2) containers which are situated on railroad ties is permitted. Additional outdoor storage of materials or equipment shall be screened from view with a minimum of a six-foot-high barrier with at least 90% opacity. Site plan approval shall be obtained from the Town Board and from the Dane County Zoning Committee for any additional outdoor storage prior to installation of screening and placement of materials and equipment.
 - d. All hazardous materials or chemicals shall be housed and stored in appropriate containers as outlined by government agencies and manufacturer's instructions, whether indoors or outdoors.
 - e. All outdoor light fixtures shall be down lit. The fixtures shall comply with dark sky requirements. The posts for parking lot lighting shall be no higher than 25 feet.
 - f. An existing stand of mature trees currently provides a natural buffer with the residential property to the north. This existing natural buffer shall be maintained. If the trees are removed, then the owner will be required to install vegetative screening meeting the requirements of the county zoning ordinance section 10.102(12).
 - g. All new, expanded or additional parking areas or areas used for vehicular movement shall be paved with concrete or asphalt surfacing.
 - h. On site customer visits shall be by appointment only.
 - i. Billboards shall be prohibited on the property. Temporary advertising signs shall be prohibited on the property. Lighted signage shall be prohibited on this property although approved signage (see below) that becomes illuminated by virtue of security lighting is permitted.
 - j. Business name or other informational signage is permitted if such signage conforms to the Dane County sign ordinance. The owner shall consult with Dane County Zoning personnel and shall receive written approval prior to installation of any business name or informational signage.

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.**