

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 11656

Dane County Zoning & Land Regulation Committee Public Hearing Date 2/23/2021

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: 4 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 LC-1 zoning district to **only** the following:
Date: February 1, 2021
 Regarding: Kyle Raasch Rezoning Petition, Number 11656
 Subject: Deed Restrictions as Required by the Town of Rutland, Wisconsin
 Land Uses
 Land use of the property shall be limited:
 To the existing metalworking and powder coating business, but only after obtaining a Conditional Use Permit from the Dane County Department of Zoning and Land Regulation.
 The resulting processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products shall be:
 performed indoors
- 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 2/2/2021

Town Clerk Dawn George Date: 2/4/2021

Date: February 1, 2021

Regarding: Kyle Raasch Rezoning Petition; Number 11656

Subject: Deed Restrictions as Required by the Town of Rutland, Wisconsin

Land Uses

Land use of the property shall be limited:

- To the existing metalworking and powder coating business, but only after obtaining a Conditional Use Permit from the Dane County Department of Zoning and Land Regulation.
- The resulting processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products shall be:
 - performed indoors
 - shall not create a nuisance of odor
 - shall not create a nuisance of noise
 - shall not include retail sales

Hours of Operation

Business activities shall be limited to the hours of 7:00 am to 8:00 pm, Monday through Friday.

Outdoor Storage Areas

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.

Hazardous Materials

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.

Lighting

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.

Landscaping

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).

Parking and Drive Areas

All new, expanded or additional parking areas or areas used for vehicular movement shall be paved with concrete or asphalt surfacing.

Traffic

On site customer visits shall be by appointment only.

Prohibited Signs

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.

Signs

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.

Future Sale of the Property

Rezoning petition number 11656 divided an existing 8.28 parcel of land into two parcels of land. Parcel A (1.14 acres to be zoned LC) and Parcel B (7.14 acres to be zoned RR-4). Parcels A and B will sometimes be referred to as Parcel A and Parcel B and sometimes as Lot 1 and Lot 2. Whether denoted as Parcel A and Parcel B, or as Lot 1 and Lot 2, on the Certified Survey Map, it is prohibited for the two parcels/lots to be sold separately.