

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
03/05/2021	DCPREZ-2021-11690
<b>Public Hearing Date</b>	
05/25/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME WICOMPANYII LLC	PHONE (with Area Code) (608) 628-3548	AGENT NAME STEVE SUTER	PHONE (with Area Code) (608) 682-3548
BILLING ADDRESS (Number & Street) 4645 State Hwy 138		ADDRESS (Number & Street) 343 LAKE KEGONSA RD.	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip) Oregon, WI 53575	
E-MAIL ADDRESS suterwalt@gmail.com		E-MAIL ADDRESS suterwalt@gmail.com	

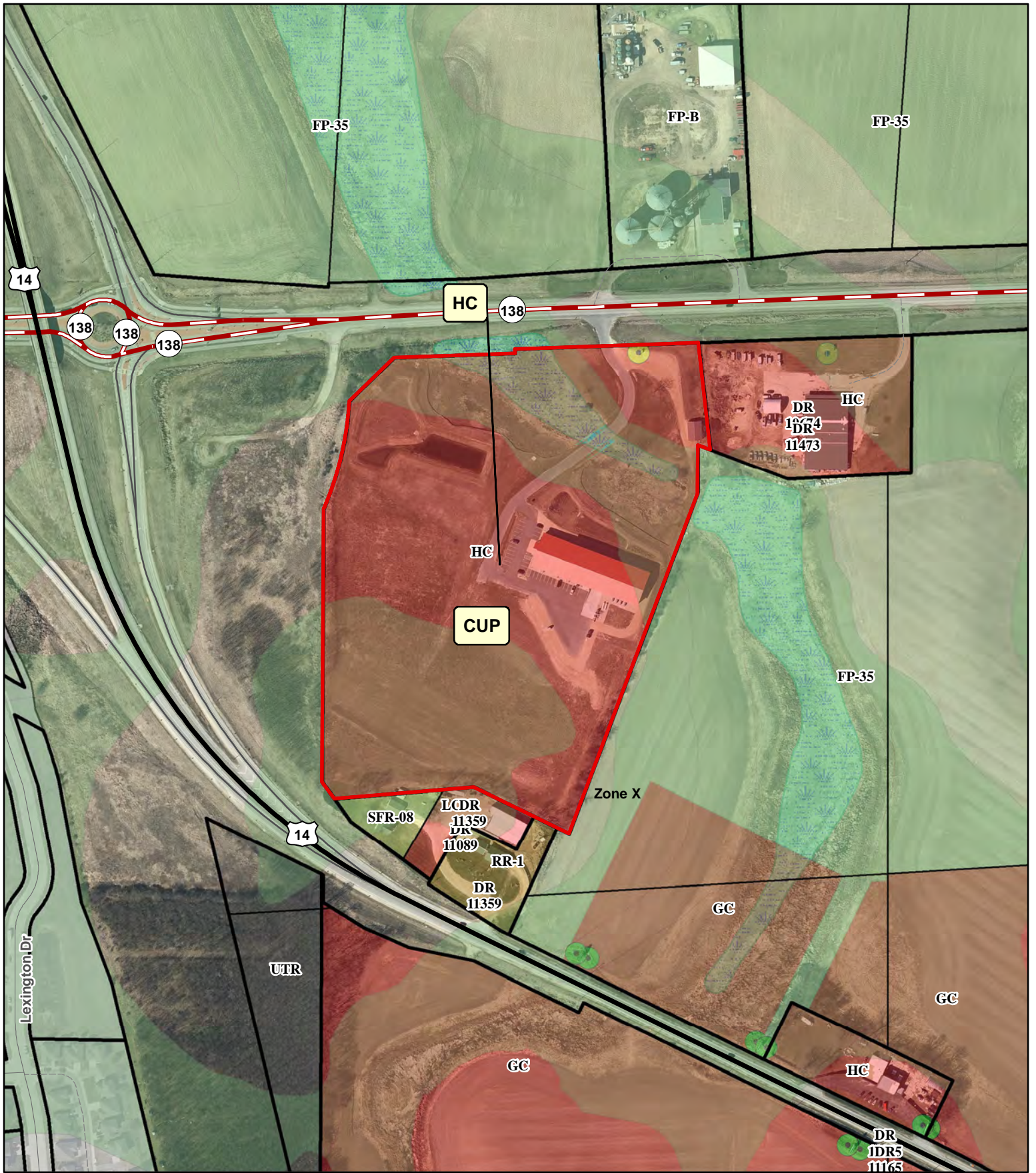
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
4645 State Hwy 138					
TOWNSHIP RUTLAND	SECTION 7	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-072-8120-0					

## REASON FOR REZONE


AMEND DEED RESTRICTIONS TO ALLOW OUTDOOR STORAGE AREA FOR RECREATIONAL VEHICLES

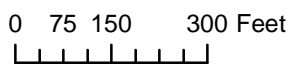
FROM DISTRICT:	TO DISTRICT:	ACRES
HC Heavy Commercial District	HC Heavy Commercial District	19

<b>C.S.M REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  SCW1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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**Legend**

- |   |   |
|---|---|
|  Wetland    | <b>Significant Soils</b>  |
|  Floodplain |  Class 1 |
|   |  Class 2 |



Petition 11690  
WICOMPANYII LLC



**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

- 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:	WI COMPANY # LLC	Agent Name:	Steve Suter
Address (Number & Street):	4645 State Hwy 138	Address (Number & Street):	343 LANE KEGONSA RD.
Address (City, State, Zip):	Oregon WI 53575	Address (City, State, Zip):	Oregon WI. 53575
Email Address:	Suterwalt@gmail.com	Email Address:	Suterwalt@gmail.com
Phone#:	608-628-3548	Phone#:	608-628-3548

### PROPERTY INFORMATION

Township:	Rutland	Parcel Number(s):	0510-072-8120-0
Section:	7 <small>Lot 2 CSM 13808 CS/91 208-215 09/15/2014</small>	Property Address or Location:	4645 State Hwy 138

### REZONE DESCRIPTION

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.

Is this application being submitted to correct a violation?  
 Yes  No

TO amend deed restrictions for HC zoning to allow outdoor storage area for recreational vehicles, see additional pages for current HC deed restrictions.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
HC with restrictions see attach pages	HC with Amended restrictions to include outdoor storage area for recreational vehicles	18

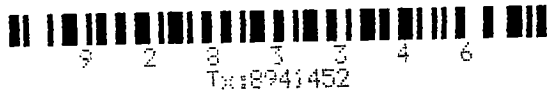
**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional 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
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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 Steve Suter

Date 3-3-21



**DEED RESTRICTIONS**  
PETITION NO. 11165

**Use black ink & print legibly**

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5410559  
05/21/2018 02:21 PM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 4

*Recording area*

**Name and return address:**

WICOMPANYII LLC  
c/o Tara M. Pearson  
P. O. Box 43  
Oregon, WI 53575

**WHEREAS, WICOMPANYII LLC**

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

**Parent Parcel Number(s):**  
0510-072-8120-0

**LEGAL DESCRIPTION:**

Lot 2 of Dane County CSM # 13808, being in part of the NW ¼ of the NW ¼ of Section 7, T5N, R10E, Town of  
Rutland, Dane County, Wisconsin.

**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 landowner shall abide by the following requirements for the development of the property:

ACCESS TO STATE HIGHWAY 138 - State Highway 138 is a controlled access highway. A State Highway Access Permit shall be required to be obtained for any new buildings or changes in land use which will cause any increase of traffic volume to the property. The State Highway Access Permit shall be obtained prior to the issuance of a zoning permit. A traffic impact study shall be prepared and approved by the State Highway Department to identify any necessary improvements that are needed for the safe access onto State Highway 138. The landowner shall be responsible for any and all costs for the improvements.

LAND USES - The following list of land uses shall be the only land uses permitted on the property: Offices, indoor sales, indoor entertainment, personal and professional services, indoor contractor/building trade operations, vehicle repair services, indoor storage, distribution centers, light industrial businesses, governmental uses, religious uses, institutional uses, and veterinarian clinics. Outside storage of materials or construction equipment may be permitted subject to site plan approval. Other land uses may be permitted through a conditional use permit: personal storage facilities (mini-warehouses), and outdoor entertainment.

OUTDOOR STORAGE AREAS - All areas that are used for the outdoor storage of materials or the storage of construction equipment/vehicles shall be screened from view with a minimum of six-foot barrier with 90% opacity. Site plan approval shall be obtained by the Town Board and County Zoning Committee for any outdoor storage areas prior to the storage of materials or equipment.

LIGHTING - All outdoor light fixtures shall be down-lit. The fixtures shall comply with dark sky lighting requirements. The posts for parking lot lighting shall be no higher than 25 feet. The posts used for main drive entrance shall be no higher than 35 feet.

**BUILDING EXTERIOR** - All buildings constructed on the property shall have a similar appearance using similar exterior materials and color palate. Any refuse containers shall be screened from view using similar materials used for the exterior of buildings.

**LANDSCAPING** - There shall be a minimum of (1) 2" caliper deciduous tree planted for every 3,000 square feet of building space constructed. The location of the trees shall be shown on a site plan prior to the issuance of a zoning permit.

**PARKING AND DRIVE AREAS** - All parking areas or areas used for vehicular movement shall be paved with asphalt surfacing.

**PROHIBITED SIGNS** - Off-premise advertising signs (billboards) shall be prohibited on the property. Temporary advertising signs shall be prohibited on the property.

**SIGNS** - All signs shall conform to the Dane County sign ordinance. There shall be one (1) on-premise pylon sign and one (1) on-premise ground sign for advertising all businesses on the property. The maximum sign allowance for wall signs shall be divided up equally amongst multiple tenants within a building, if applicable. All tenant wall signs shall have the same style as selected by the landowner.

[balance of page intentionally left blank]

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

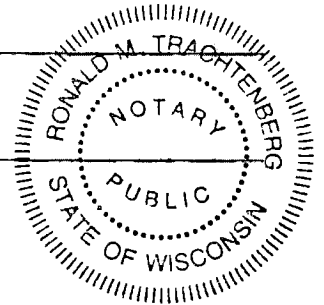
1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which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

MAY 18, 2018  
 Date  
 WICOMPANYII LLC  
 By: Tara M. Pearson  
 Signature of Grantor (owner)  
 Tara M. Pearson, Authorized Member  
 \*Name printed

\_\_\_\_\_  
 Date  
 \_\_\_\_\_  
 Signature of Grantor (owner)  
 \_\_\_\_\_  
 \*Name printed



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

Dane County  
Planning and Development Department

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 5/18/18 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07) Ronald M. Trachtenberg

Print or type name: Ronald M Trachtenberg

Title Notary Date commission expires: permanant

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





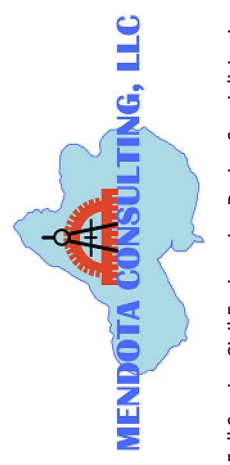
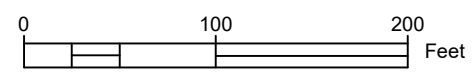








GRAPHIC SCALE: 1" = 100'-0"



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1	PRELIM SITE	12/28/20
2	FINAL LAYOUT	2/24/21

No.	Revision/Issue	Date
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Project Name and Address  
 BOAT / RV STORAGE  
 STEVE SUTER  
 4645 STH WI 138  
 TOWN OF RUTLAND

Sheet Title.  
 SIGHT LINE OVERVIEW

Project No.  
 20-030

Sheet No.  
 6 OF 7

