

# TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 11950

Dane County Zoning & Land Regulation Committee Public Hearing Date 6/27/2023

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:** 6 in favor 0 opposed 0 abstained

**Town Board Vote:** 5 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 \_\_\_\_\_ zoning district to **only** the following:  
Deed Restrictions for Bucky's Portable Toilets, INC.  
1) The land uses on the property shall be limited exclusively to the following: Portable toilet rental business; outdoor storage of portable toilet units; storage of refuse dumpsters for use off-site, storage of empty portable storage containers for use off-site, and outdoor storage of property maintenance vehicles and equipment; offices and manufacturing facilities; office and indoor warehousing for construction businesses; indoor warehousing of business supplies; indoor storage of vehicles; indoor repair of lawn and garden equipment; and personal or professional services (ex. gym/personal training/crossfit/rehab).  
2) Land uses expressly prohibited: outdoor storage of materials other than those listed above as permitted; permanent or on-site storage units storing personal belongings (mini warehousing). The portable storage units that are stored on the property shall not be used for the purposes of storage of personal belongings or construction materials. The storage container shall remain empty when stored on-site.  
3) There shall be a maximum of 5 businesses operating on the property.  
4) Outdoor storage of portable toilets, off site rental dumpsters, and off site portable shipping containers shall be limited to the area adjacent to the commercial building as depicted on the site and operations plan submitted as part of zoning petition 11950 dated August 16th, 2023. Outdoor storage limited only to fenced area, no stacking of off-site portable storage containers or dumpsters in excess of 8 tall.  
5) All outdoor business storage areas shall be screened from view by an 8 fence with privacy screening on all sides. No other outside storage permitted.  
6) Division of the property through a condominium plat is prohibited.
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:  
This action is on the Revised Petition dated 8/16/2023

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 9/6/2023  
Town Clerk Dawn George Date: 9/15/2023

## Town Deed Restrictions for Bucky's Portable Toilets, INC

- 1) The land uses on the property shall be limited exclusively to the following: Portable toilet rental business; outdoor storage of portable toilet units; storage of refuse dumpsters for use off-site, storage of empty portable storage containers for use off-site, and outdoor storage of property maintenance vehicles and equipment; offices and manufacturing facilities; office and indoor warehousing for construction businesses; indoor warehousing of business supplies; indoor storage of vehicles; indoor repair of lawn and garden equipment; and personal or professional services (ex. gym/personal training/crossfit/rehab).
- 2) Land uses expressly prohibited: outdoor storage of materials other than those listed above as permitted; permanent or on-site storage units storing personal belongings (mini warehousing). The portable storage units that are stored on the property shall not be used for the purposes of storage of personal belongings or construction materials. The storage container shall remain empty when stored on-site.
- 3) There shall be a maximum of 5 businesses operating on the property
- 4) Outdoor storage of portable toilets, off site rental dumpsters, and off site portable shipping containers shall be limited to the area adjacent to the commercial building as depicted on the site and operations plan submitted as part of zoning petition 11950 dated August 16<sup>th</sup>, 2023. Outdoor storage limited only to fenced area, no stacking of off-site portable storage containers or dumpsters in excess of 8' tall.
- 5) All outdoor business storage areas shall be screened from view by an 8' fence with privacy screening on all sides. No other outside storage permitted.
- 6) Division of the property through a condominium plat is prohibited.
- 7) Off premises (billboard) signage is prohibited. A sign allowance shall be allowed on the HC property to allow the business to have a sign at the road.
- 8) All exterior lighting to be downward facing lighting not to project towards neighboring properties.