

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11458**

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: Town of Rutland

Location: Section 7

Zoning District Boundary Changes

FP-35 to RR-4

PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 07, TOWNSHIP 05 NORTH, RANGE 10 EAST. TOWN OF RUTLAND, DANE COUNTY WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE E 1/4 CORNER OF SAID SECTION 07; THENCE ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 07 S85°53'33"W, 2302.39 FEET; THENCE S04°06'27"E, 279.97 FEET TO THE POINT OF BEGINNING; THENCE N95°53'33"E, 523.47 FEET TO THE WESTERLY RIGHT-OF-WAY OF U.S.H. 14 AND THE POINT OF A CURVE TO THE RIGHT; THENCE 305.14 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF U.S.H. 14 AND THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 7,129.07 FEET AND WHOSE CHORD BEARS S32°50'07"E, 305.12 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY; THENCE S77°06'31"W, 621.41 FEET; THENCE N12°53'29"W, 366.76 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 184,311 SQUARE FEET OR 4.23 ACRES MORE OR LESS. SUBJECT TO RECORDED AND UNRECORDED RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS.

FP-35 to HC

PART OF THE NW 1/4 OF THE SE 1/4 AND PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 07, TOWNSHIP 05 NORTH, RANGE 10 EAST, TOWN OF RUTLAND, DANE COUNTY WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE E 1/4 CORNER OF SAID SECTION 07; THENCE ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 07, S85°53'33"W, 2302.39 FEET; THENCE S04°06'27"E, 80.00 FEET TO THE POINT OF BEGINNING; THENCE N85°53'33" E, 401.25 FEET TO THE WESTERLY RIGHT-OF-WAY OF U.S.H. 14 AND THE POINT OF A CURVE TO THE RIGHT; THENCE 234.39 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF U.S.H. 14 AND THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 5,094.30 FEET AND WHOSE CHORD BEARS S35°32'28"E, 234.36 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY; THENCE S85°53'33"W, 1121.72 FEET; THENCE N 04'06'27" W, 199.97 FEET; THENCE N 85°53'33' E, 598.25 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 212,301 SQUARE FEET OR 4.87 ACRES MORE OR LESS. SUBJECT TO RECORDED AND UNRECORDED RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS.

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. A deed restriction shall be recorded on the property with the following limitations:
 - a. Land Uses shall be limited to: portable toilet rental business; outdoor storage of portable toilet units in designated area (behind the existing building at the rear of the property at 1185 US Highway 14); offices and manufacturing facilities; office and warehousing for construction businesses; warehousing of business supplies; indoor storage of vehicles; and repair of lawn and garden equipment; personal or professional service (ex. gym/personal training/crossfit/rehab).
 - b. Land uses expressly prohibited: outdoor storage of material other than portable toilets and related equipment; storage units; storage of personal belongings (mini-warehousing).
 - c. There shall be a maximum of 4 businesses operating on the property.
 - d. Division of property through a condominium plat is prohibited.
 - e. Off premises (billboard) signage is prohibited. A sign allowance shall be allowed on the HC zoned property to allow the business to have a sign at the road.

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.**