

# TOWN BOARD ACTION REPORT - REZONE

Regarding Petition # 12020

Dane County Zoning & Land Regulation Committee Public Hearing Date 5/26/2024

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: 5 in favor 0 opposed 1 abstained

Town Board Vote: 4 in favor 0 opposed 1 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:  
\_\_\_\_\_  
\_\_\_\_\_
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:  
See attached.  
\_\_\_\_\_  
\_\_\_\_\_

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 MARCH 6, 2024.

Town Clerk Dawn George

Date: March 13, 2024.

- b) Petition 2024-12020 by Kevin Hahn to create one residential lot to rezone 8.5 acres from FP-35 to RR-8. The property is located north of 3978 Old Stage Rd

Sime motioned to recommend the Town Board approve the rezone Petition #2024-12020 including the following Deed restriction,

**"This property is located adjacent to a quarry operation that was approved to operate under a conditional use permit. There is also a non-conforming quarry operation located at the southeast intersection of Old Stage Road and N. Union Road. The landowner or future landowners are hereby notified that the quarry activity involves blasting, heavy vehicle and equipment use, noise, dust, and operations during the evening or early in the morning that may be of nuisance. Any development of this property should take into account the ongoing nearby quarry operations."**

Second by Conant. Motion passed 5-0-1. Knutson abstained.

Board action: Nedveck moved, Williams seconded, to accept the planning commission recommendation to approve Petition 12020 with the deed restriction as written above; motion carried 4-0-1 with Knutson abstaining.