



Dane County Planning & Development

Land Division Review

October 23, 2013

Wisconsin Mapping
306 West Quarry St.
Deerfield, WI 53531

Re: Dott (CSM 9542)
Town of Cottage Grove, Section 29/32
(3 lots, 15.2 acres)
Zoning Petition #10562

The Dane County Board approved rezone Petition #10562 on July 18, 2013.

Attn: David C. Riesop, S-1551

The proposed CSM is hereby conditionally approved as follows:

1. Rezone Petition #10562 is to become effective and all conditions established are to be timely satisfied.
 - a. *Recording of an approved CSM.*
 - b. *Recording of a Deed Restriction(s).*
2. A stormwater management permit, issued by the Land & Water Resources Department, is required prior to any development on the proposed parcel.
 - *DCCO Ch. 14.46(3), A stormwater control permit under sec. 14.49 shall be required and all stormwater management provisions of this chapter shall apply to any of the following activities within Dane County: Any development that requires a certified survey map, as defined in the applicable local land division ordinance(s); for property intended for commercial or industrial use.*
3. The location of the existing driveway is to be shown on proposed lot 2.
4. Comments from WisDOT are to be satisfied:
 - *Access to two of the existing parcels is limited to one private driveway for each of the parcels. USH 12/18 is controlled by project ID 3080-00-21.*
5. All owners of record are to be included in the owner's certificate. (County records indicate that FRED GOETZ & DIANE GOETZ and JOHN A DOTT is the owner). *Spouse's signature and middle initials are required to provide valid certificates.*

6. The required approval certificates are to be executed.
 - a. *Town of Cottage Grove*
 - b. *City of Madison*
 - c. *Dane County*

7. Comments from the Dane County Surveyor are to be satisfied:
 - a. *Some of the CSM boundary and lot lines are different line weights on sheet one. Specifically around 5695 and to the north and the centerline of the creek between OL 1 and Lot 1. 236.20(2)(a)*
 - b. *Curve endpoint annotation may be in the wrong place on map. See curve point 1 location. 236.20(2)(b)*
 - c. *Underscore VILAS ROAD with a dashed or dotted line. 236.20(3)(d)*
 - d. *The description boundary has typos as follows: with POB being line 1, there is a typo in line 2 in the distance of 134.23, per map is 1343.23. In line 19 typo is "to its point of tangency and the its intersection with...". Please fix. With changes the description has a misclosure of 0.65± feet. Lot 1 closure is good. Lot 2 closure is good. OL 1 has a misclosure of 0.25± feet. Please identify and correct misclosure errors.*

8. The recordable document is to be submitted for review and approval.

When the above conditions have been fully satisfied, the original document along with a copy of this letter may be submitted for final review and the Dane County approving signature will be affixed. Please allow for ten (10) working days for approving signature. Any questions regarding this letter, please contact myself.

Sincerely,

Daniel Everson
Assistant Zoning Administrator
267.1541

CC:
Clerk, Town of Cottage Grove
City of Madison – Tim Parks
WisDOT Planning – Jean Mancheski
Dane County Land & Water – Jeremy Balousek

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 7, 2013

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith and Police Chief Chris Hughes.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes from the August 22, 2013 and September 3, 2013 Public Hearing and Town Board Meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #21545 - 21636 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Williams to approve payment of September per diems as presented, and payment of \$6,334.64 to Tom Viken for September building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Rod Heller, 2906 Siggelkow Road, asked the Board to consider developing a lighting trespass ordinance. He explained that his house is lit up by outdoor lights on a neighboring Ag building. The neighbor has refused his offer to replace the lights with downward pointing ones, and the County zoning ordinances are no help as they only regulate lighting on commercial properties. He offered to provide sample ordinances for the Town to start with.
- F. Road Right of Way Permits: **MOTION** by Hampton/Anders to approve a permit for Charter Communications to drill underground across the right-of-way on Damascus Trail to install a duct. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Plan Commission Recommendations:
1. Thomas & Julia Willan, Applicants – Parcel 0711-072-9971-5 at 4407 Vilas Hope Road – rezone of 2.0 acres from A1-EX to A-2(2) for zoning compliance – single family residential and home occupation: Hampton reported that Dane County Zoning Administrator Roger Lane had inspected the site and determined that everything is in compliance with the new zoning requested. **MOTION** by Hampton/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 2.008 acres from A1-EX to A-2(2) for zoning compliance and home based business. **MOTION CARRIED 5-0.**
- B. Discuss/Consider appointment to serve the remainder of David Morrow's term on the Police Commission: The Clerk reported that the interested party had withdrawn their application. **MOTION** by Hampton/Anders to table. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of Certified Survey Map for John Dott/ Fred Goetz on Vilas Road: **MOTION** by DuPlayee/Williams to approve the CSM, identified as Dwg No. 4233-13 dated 9/23/2013. **MOTION CARRIED 5-0.**
- D. Discuss/Consider requests for owners of two-family homes to be charged only one trash/recycling charge:



Staff Report

Zoning and Land Regulation Committee

Public Hearing: June 25, 2013

Petition: Rezone 10562

Zoning Amendment:

C-1 Commercial District and RH-1 Rural Homes District and A-1EX Exclusive Agriculture to C-2 Commercial and CO-1 Conservancy District and RH-3 Rural Homes District

Town/sect:

Cottage Grove Section 32

Acres: 0.7, 0.4, 1.9, 0.3, 0.2

Survey Req. Yes

Applicant

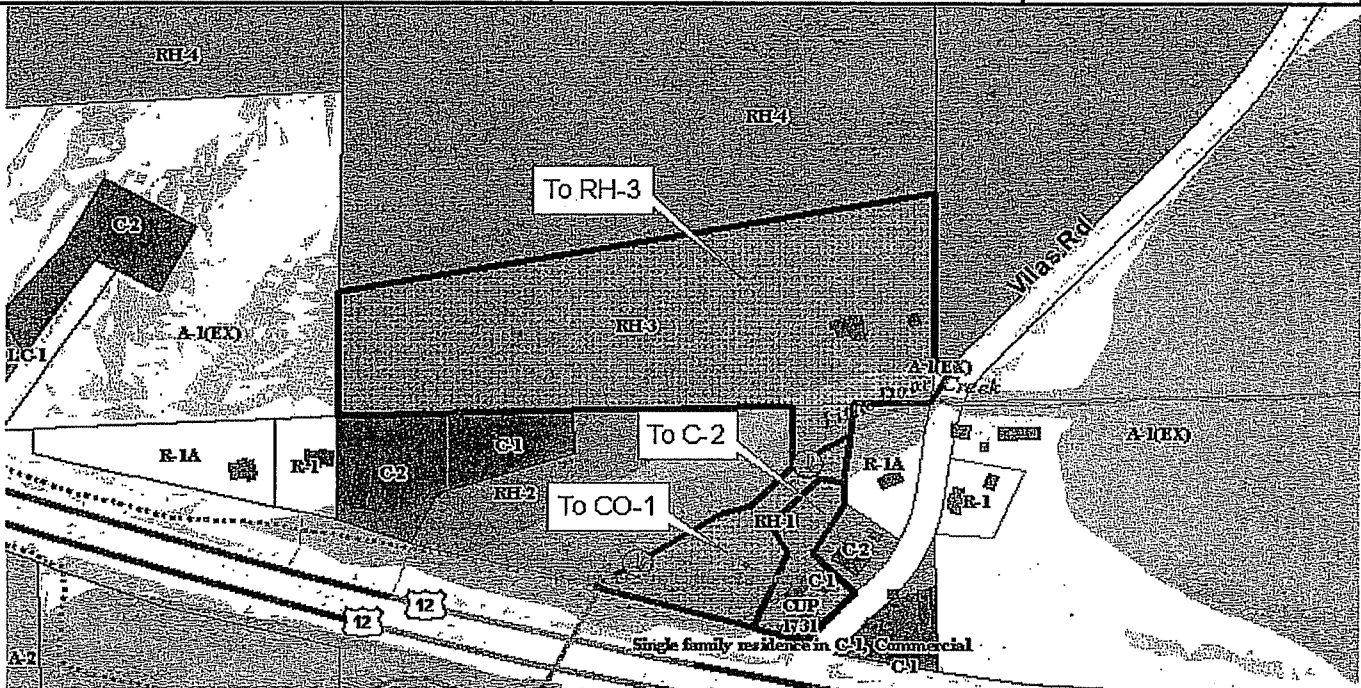
John A Dott

Reason:

Combine existing lots, add lands to existing lot, outlot for floodplain

Location:

3419-3437 Vilas Hope Road



Description: The applicant would like to expand the commercial zoning on his property to allow for an additional building(s) to be constructed. A portion of the remaining property would be sold to an adjacent property owner and the remaining property would be zoned to CO-1 Conservancy due to floodplain features.

Observations: The property runs along Little Door Creek and is subject to Shoreland Regulations. Floodplain and wetlands are associated with this area due to the proximity of the creek. Class II soils are present on 50% of the lot. There is an existing single-family residence on the lot as well as a several buildings used for commercial purposes. A letter of map amendment has been approved by FEMA identifying lands outside the floodplain.

Town Plan: The plan designates this area as "Existing Residential" and designates it as an area of "Resource Protection". See attachment J-2 of the Town Plan noting acceptable land uses in areas.

Resource Protection Area: The entire property is located in the resource protection area due to the presence of floodplain, potential wetlands, and its close proximity to Little Door Creek.

Staff Comments: See attached staff report regarding the limitations of development on the property. If approved, staff suggests placing a deed restriction on the property limiting the property to specific land uses and prohibiting the installation of billboard signs.

Town Action: Approved with comments.

Continued on next page.

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Staff Report
Petition #10562
John Dott, Section 32, Cottage Grove

Shoreland: The proposed C-2 lot is entirely within 300 feet of Little Door Creek and will be subject to Chapter 11, Shoreland Regulations. It appears that the property contains approximately 18% impervious surface. Any future development will have a limit of 30% impervious surface and would require shoreland mitigation to be designed and installed on the property.

Wetland: The wetland map provided by WDNR designates that a wetland may be present along Little Door Creek. Prior to any future development, a wetland delineation report will need to be conducted on the site to establish the wetland boundary. Future buildings may not be within 75 feet of the wetland boundary.

Floodplain: The 2009 FEMA Flood Insurance Rate Map designates the portions of the property within the ZONE A area. Zone A is a flood hazard area with an unknown base flood elevation. A Letter of Map Amendment (LOMA) has been approved by FEMA that notes property above 854.2 feet being outside the flood hazard area. If the property is proposed to be filled, a full flood study will need to be performed in order to verify the filling will not obstruct flow or increase the flood waters more than one-hundredth of a foot.

Erosion Control: A stormwater management permit, issued by the Land & Water Resources Department, is required prior to any development on the proposed parcel. DCCO Ch. 14.46(3), A stormwater control permit under sec. 14.49 shall be required and all stormwater management provisions of this chapter shall apply to any of the following activities within Dane County: Any development that requires a certified survey map, as defined in the applicable local land division ordinance(s); for property intended for commercial or industrial use.

Land uses: Staff suggests limiting the land uses within the C-2 Commercial Zoning District to prevent conflicts with neighboring properties. See attached list.

Billboards: Off-premise advertising signs are permitted in the C-2 Commercial Zoning District. Given that the property abuts State Highway 12/18, the construction of billboard signs may be appealing to advertising agencies on this site. Staff suggests placing a deed restriction on the property to prohibit billboard signs so that the esthetic quality of the area is not diminished.

6/25 ZLR Action:

Motion by Hendrick / Bollig to postpone to allow time the petitioner to explore option regarding potential wetlands on the property; motion carried, 5-0. YGP: 2-0.

Staff Update: Staff conducted a wetland determination inspection on the area proposed to be zoned for commercial purposes. The inspection revealed that there were no wetlands present in the proposed zoning area, however, there are wetlands present on the west side of Little Door Creek. See report.

If approved, Staff suggests limiting the land uses of the proposed C-2 Commercial zoning area as listed on the attached page, as well as, prohibiting billboards signs on the property.

7/09 ZLR Action:

Motion by Bollig / Kolar to recommend approval with conditions; motion carried,4-0. YGP vote: 2-0.

1. A deed restriction shall be placed on the C-2 zoning lot that limits the land uses on the property to the following: Major repairs to motor vehicles; sales, rental or leasing of new and used motor vehicles; sales, rental or leasing of new and used motor vehicles; sales, service and rental of recreational equipment; sales, service, repairs, storage, rental and leasing of new and used contractor's machinery and equipment; parking or storing of motor vehicles; warehouses; mini-warehouses; retail and service uses; sales and repair of lawn and garden equipment; bicycle sales and service; self service laundries and dry cleaning establishments; medical, dental and veterinary clinics; banks, offices, office buildings and condominium office buildings; bakeries; printing plants; laundries and dry cleaning plants; woodworking shops; machine shops; rental businesses; distribution centers; wholesale businesses; manufacturing and assembly plants; warehousing and storage incidental to a permitted use; off-site parking of motor vehicles; and general, mechanical and landscape contracting businesses. The following land uses may be permitted through the conditional use process: residence for a watchman or caretaker; communication towers; dog and cat boarding kennels; grooming and training facilities; governmental uses; agricultural uses; and religious uses.
2. A deed restriction shall be placed on the C-2 zoning lot that prohibits the installation of off-premise advertising signs (billboards).

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 10562

Dane County Zoning & Land Regulation Committee Public Hearing Date 6/25/2013

Whereas, the Town Board of the Town of Cottage Grove 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 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:
- 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.

At the Town, in addition to the rezones, Mr. Dott applied for a CUP for caretakers residence in the C-2 district. Both the Plan Commission and Town Board reviewed the 6 findings of fact under DCCO 10.255(2)(b) and found them to be satisfied. I see that the CUP application was not made at the County, but understand from correspondence with Roger Lane that there is already a CUP (#1731) in place there.

I, Kim Banigan, as Town Clerk of the Town of Cottage Grove, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 5/6/2013

Town Clerk Kim Banigan Date: 5/15/2013

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List of allowable land uses in C-2

(The B-1 Local Business district is a separate, non-cumulative category, created for a more limited purpose.)

Permitted Uses

All the uses below this are permitted C-2 Commercial district:

Note: Uses are not limited in regard to size.

- Major repairs to motor vehicles
- Sales, rental or leasing of new and used motor vehicles
- Sales of new and used mobile homes
- Sales, service and rental of recreational equipment
- Sales, service, repairs, storage, rental and leasing of new and used contractor's machinery and equipment
- Storage, repair and maintenance of carnival, concession and circus machinery and equipment
- Truck and bus terminals
- Construction equipment operator training schools, if privately operated
- Automobile and truck driver training schools, if privately operated
- Parking or storing of motor vehicles
- Bulk fuel storage
- Sales and storage of lumber and building material

- Slaughterhouses, meat processing plants
- Bottling plants
- Fertilizer mixing or blending plants
- Auxiliary or supplemental electric generating stations
- Storage or processing of scrap or waste materials inside a building
- Warehouses
- Mini-warehouses
- Adult book stores

All the uses below this are permitted in the C-2 and C-1 Commercial districts:

- Retail and service uses
- Sales and repair of lawn and garden equipment
- Bicycle sales and service
- Self service laundries and dry cleaning establishments
- Medical, dental and veterinary clinics
- Banks, offices, office buildings and condominium office buildings
- Bakeries
- Printing plants
- Laundries and dry cleaning plants
- Woodworking shops

- Machine shops
- Rental businesses
- Distribution centers
- Wholesale businesses
- Manufacturing and assembly plants
- Experimental laboratories (limited to 5,000 square feet in C-1)
- Crematoriums
- Marinas
- Rooming and boarding houses
- Games (not lighted)
- Warehousing and storage incidental to a permitted use
- Off-site parking of motor vehicles

All the uses below this are permitted in the C-2, C-1 and LC-1 Limited Commercial districts:

- General, mechanical and landscape contracting businesses
- Office uses
- Incidental parking for employees
- Indoor storage
- Incidental indoor maintenance
- Outdoor storage of up to 12 total vehicles and pieces of construction equipment
- Utility Services

Conditional Uses: (Each requires a Conditional Use Permit)

- Outdoor amusement parks or other entertainment activity
- Movie theaters, outdoor theaters
- Drive-in establishments
- Automobile race tracks
- Snowmobile race tracks and courses
- All-terrain vehicle race tracks and courses
- Motorcycle race tracks
- Mineral extraction
- Solid waste disposal operations
- Sanitary landfill sites
- Auto laundries and car washes
- Taverns
- Residence for a watchman or caretaker
- Communication towers
- Dog and cat boarding kennels, grooming and training facilities
- Governmental uses
- Agricultural uses
- Outdoor lighted games.
- Religious uses
- Motels and hotels
- Storage of explosive materials

April 15, 2013

Dane County Zoning

My reasons or intentions for these rezoning requests are as follows:

Over the last 30 years I have purchased three individual parcels that now make up my small corner of Hwy 12 & 18 and Vilas Rd. My intent was always to combine the three into one property, one zoning and one tax bill. I now understand that I can't rezone anything in the floodplain to commercial zoning.

After having Dave Riesop do an elevation survey, submitting it to FEMA and receiving a LOMA document, I want to combine any lands out of the floodplain into one C-2 property with a Conditional Use Permit for my home.

This would allow me to someday add on to my shop or build another building behind it without crossing over my own property lines or getting into the floodplain.

The rest of the property left over out of the three parcels could be converted to a conservancy because it's not considered buildable property. I feel this will also simplify future financing for improvements and increase my property value if I ever decide to sell.

The small parcel north of Door Creek would be given to Fred Goetz in exchange for his payment for surveying and zoning fees.

John Dott

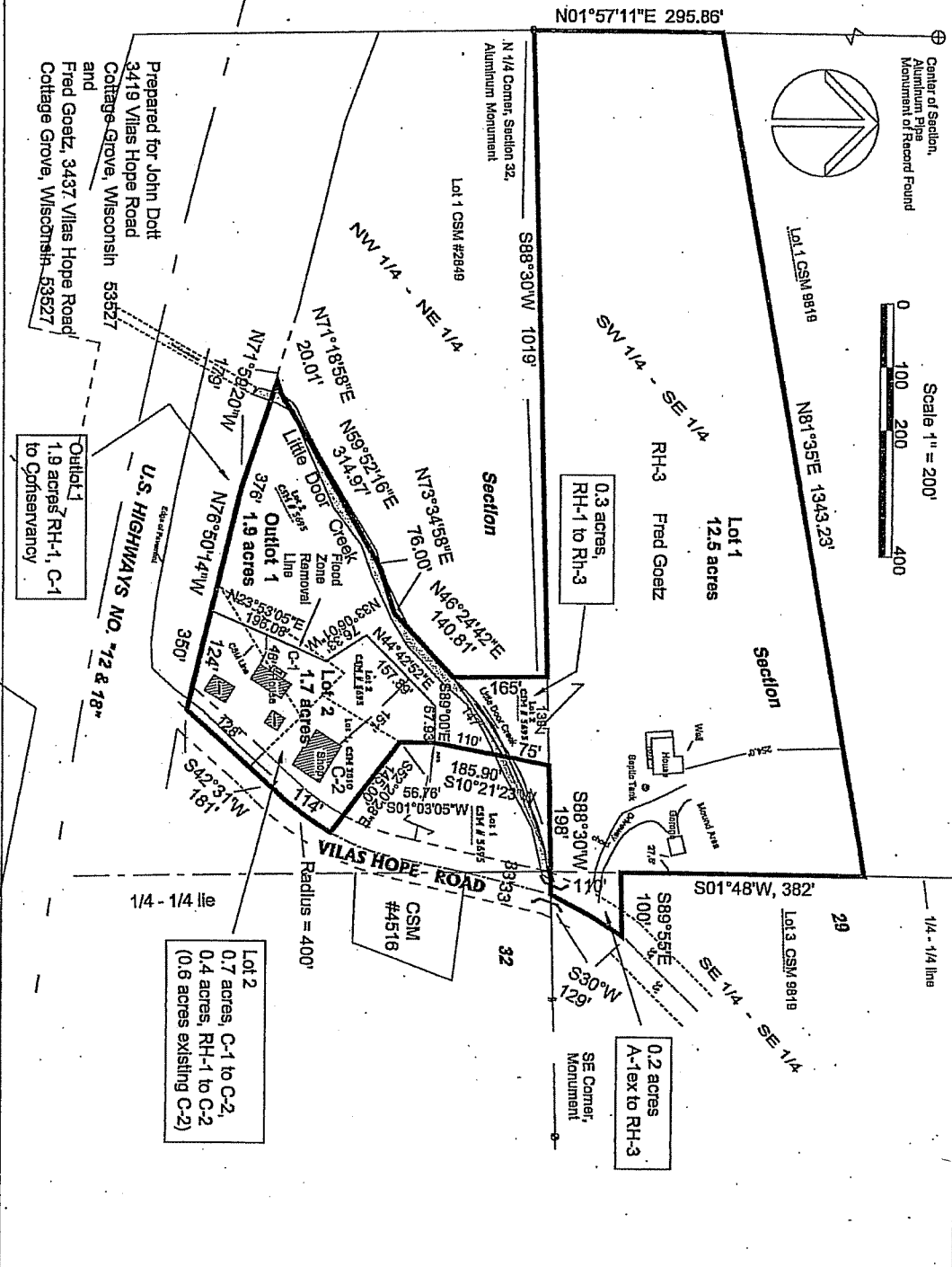
John Dott 4-15-13

John Dott
608-839-4493

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Preliminary Certified Survey Map

Lot 1 Dane County Certified Survey Map number 3810 and Lot 2 Dane County Certified Survey Map number 5695, and part of the NW 1/4 of the NE 1/4 of Section 32, and parts of the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 29, all in T.7N., R.1E., Town of Cottage Grove, Dane County, Wisconsin



Center of Section, Aluminum Pipe Monument of Record Found

Scale 1" = 200'

0 100 200 400

Prepared for John Dotz
3419 Vilas Hope Road
Cottage Grove, Wisconsin 53527
and
Fred Goetz, 3437 Vilas Hope Road
Cottage Grove, Wisconsin 53527

Outlet 1
1.9 acres RH-1, C-1
to Conservancy

Lot 2
0.7 acres, C-1 to C-2,
0.4 acres, RH-1 to C-2
(0.6 acres existing C-2)

0.3 acres,
RH-1 to Rh-3

0.2 acres
A-1 to RH-3

Wisconsin Mapping, LLC
* surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 4223C-13 Date 4/15/2013
Sheet 1 of 1
Document _____
C. S. M. No. _____ V. _____ P. _____



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	DANE COUNTY, WISCONSIN (Unincorporated Areas)	Lot 1, as shown on Certified Survey Map No. 3810, recorded as Document No. 1723539, in Volume 3192, Pages 34 through 36; A portion of Lot 2, as shown on Certified Survey Map No. 5695, recorded as Document No. 2116480, in Volume 26, Pages 258 through 260; both documents recorded in the Office of the Register of Deeds, Dane County, Wisconsin The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 550077	
AFFECTED MAP PANEL	NUMBER: 55025C0465G DATE: 1/2/2009	
FLOODING SOURCE: LITTLE DOOR CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 43.034, -89.215 SOURCE OF LAT & LONG: ARCGIS 10 DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
1-2	-	-	-	Portion of Property	X (unshaded)	-	-	854.2 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION: PORTIONS REMAIN IN THE SFHA ZONE A
STATE LOCAL CONSIDERATIONS:

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

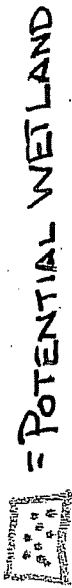
This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

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RH-1 to Rh-3

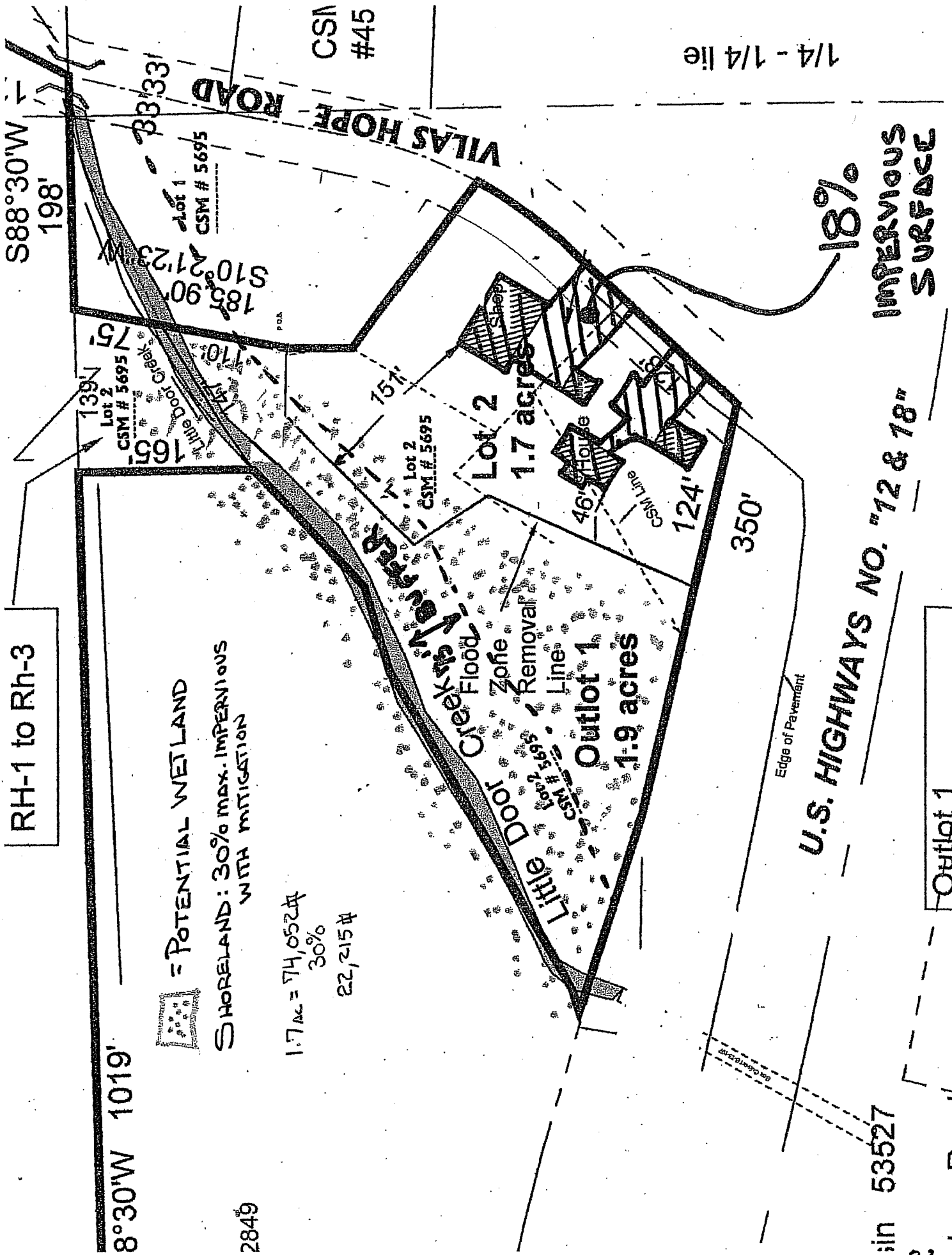
8°30'W 1019'



POTENTIAL WETLAND
SHORELAND: 30% MAX. IMPERVIOUS
WITH MITIGATION

2849

1.7 ac = 74,052 sq ft
30%
22,215 sq ft



S88°30'W
198'

139'
Lot 2
CSM # 5695
165'
Line Door Creek 75'

185° 06' 21.23" W
33' 33"

Lot 1
CSM # 5695

VILAS HOFF ROAD
CSM #45

Lot 2
CSM # 5695

Lot 2
1.7 acres

Outlet 1
1.9 acres

350'

Edge of Pavement

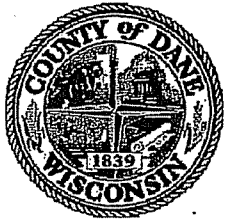
U.S. HIGHWAYS NO. 12 & 18

Outlet 1

1/4 - 1/4 lie

18%
IMPERVIOUS SURFACE

in 53527



DANE COUNTY
PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

July 1, 2013

Robert Dott
3417 Vilas Road
Cottage Grove, WI 53527

RE: Status of Wetlands – Parcel #0711-321-8520-0
Section 32, Town of Cottage Grove

No Wetlands Present

Dear Mr. Dott,

The Dane County Zoning Division is in receipt of your request for a determination of the presence of wetlands on your property.

Before conducting the site inspection, the DNR Wetland Inventory Maps as well as the US Fish and Wildlife National Wetlands Inventory Maps were reference to determine if wetlands were identified on the property. Both maps showed that there are freshwater emergent and forested wetlands present in the surrounding area. However, the US Fish and Wildlife identifies the area having just small isolated pockets of wetlands. See attached maps.

A site inspection was conducted on July 1, 2013 to determine the presence of wetlands in an approximate 3.6-acre area along the south side of Little Door Creek. The request was to determine if wetlands were present in an area proposed to be zoned for commercial purposes.

The inspection revealed that the area is approximately 5 to 6 feet above the ordinary high-water mark of Little Door Creek. There are extremely steep banks along the creek making up for the elevation change. The area has an established mowed lawn with vegetation indicative of an upland area. The soils in the proposed commercial area appear to be hydric given the modeling of the soil at 14" below the surface. Wetland vegetation was identified on spots of the sloped banks of the stream, but the very sparse, isolated, and not connected.

The area proposed to be zoned for commercial purposes under Zoning Petition # 10562 do not contain wetlands due to the absence of vegetation. The area is considered an upland area and not a wetland.

I hope you find this information helpful. If you have any questions regarding this matter, or if I may be of further assistance, please feel free to call me at (608) 266-9078.

Sincerely,


Roger Lahe
Dane County Zoning Administrator

Cc Cottage Grove Town Clerk

*Housing &
Economic Development*
(608)266-4270, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

G-6

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 10562**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Cottage Grove

Location: Section 32

Zoning District Boundary Changes

A-1EX to RH-3

Part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows: Beginning at the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence North, 110 feet to the Southwest corner of Lot 3 of Dane County Certified Survey Map number 9819; thence S89°55'E, 100 feet to the centerline of Vilas Hope Road; thence Southwesterly along said centerline, 129 feet to the South line of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence West, 35 feet to the point of beginning. Containing 0.2 acres more or less.

RH-1 to RH-3

Part of Lot 2, Dane County Certified Survey Map number 5695, being in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows: Beginning at the Northwest corner of Lot 2; thence East, 139 feet to the Northwest corner of Lot 1 of said certified survey; thence S10°W along the West line of lot 1, 75 feet to the centerline of Little Door Creek; thence Southwesterly along said creek centerline, 147 feet to the West line of Lot 2; thence North along said West line, 165 feet to the point of beginning.

RH-1 and Part of C-1 to CO

Part of Lot 2, Dane County Certified Survey Map number 5695, being in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows: Commencing at the Northwest corner of Lot 2; thence South along the West line of said lot, 165 feet to the centerline of Little Door Creek and the point of beginning; thence Northeasterly along said creek centerline, 147 feet to the West line of lot 1 of Certified Survey Map number 5695; thence S10°W along said West line, 110 feet; thence N89°W, 57.93 feet; thence S44°42'52"W, 157.89 feet; thence S33°06'01"E, 76.33 feet; thence S23°53'05"W, 196.08 feet to the North line of United States Highways 12 and 18; thence Northwesterly along said North line, 376 feet to the centerline of Little Door Creek and the East line of Lot 1 of Certified Survey Map number 2849; thence N71°E along said line, 20.01 feet; thence N59°E along said line, 314.97 feet; thence N73°E along said line, 76 feet; thence N46°E along said line, 140.81 feet to the point of beginning. Containing 1.9 acres more or less.

C-1 and RH-1 to C-2

Part of Lot 2, Dane County Certified Survey Map number 5695, and part of the NW ¼ of the NE ¼ of Section 32, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows: Beginning at the Northwest corner of Lot 1 of Dane County Certified Survey Map number 3810; thence North along the West line of Lot 1 of Certified Survey Map number 5695, 56.76 feet; thence N89°W, 57.93 feet; thence S44°42'52"W, 157.89 feet; thence S33°06'01"E, 76.33 feet; thence S23°53'05"W, 198.08 feet to the North line of United States Highway 12 and 18; thence Southeasterly along said North line, 124 feet to the centerline of Vilas Hope Road; thence N42°E, 128 feet to the Southeast corner of Lot 1 of Certified Survey Map number 3810; thence N44°W, 158 feet to the Southwest corner of said lot; thence N31°E, 149 feet to the point of beginning. Containing 1.7 acres more or less.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) 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 placed on the C-2 zoning lot that limits the land uses on the property to the following: Major repairs to motor vehicles; sales, rental or leasing of new and used motor vehicles; sales, rental or leasing of new and used motor vehicles; sales, service and rental of recreational equipment; sales, service, repairs, storage, rental and leasing of new and used contractor's machinery and equipment; parking or storing of motor vehicles; warehouses; mini-warehouses; retail and service uses; sales and repair of lawn and garden equipment; bicycle sales and service; self service laundries and dry cleaning establishments; medical, dental and veterinary clinics; banks, offices, office buildings and condominium office buildings; bakeries; printing plants; laundries and dry cleaning plants; woodworking shops; machine shops; rental businesses; distribution centers; wholesale businesses; manufacturing and assembly plants; warehousing and storage incidental to a permitted used; off-site parking of motor vehicles; and general, mechanical and landscape contracting businesses. The following land uses may be permitted through the conditional use process: residence for a watchman or caretaker; communication towers; dog and cat boarding kennels, grooming and training facilities; governmental uses; agricultural uses; and religious uses.
2. A deed restriction shall be placed on the C-2 zoning lot that prohibits the installation of off-premise advertising signs (billboards).

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.

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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.**