

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11194**

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 Pleasant Springs

Location: Section 9

Zoning District Boundary Changes

C-1 TO C-2

Part of the Northeast 1/4 of the Southwest 1/4 of Section 9, Township 6 North, Range 11 East, Town of Pleasant Springs, Dane County, Wisconsin being more particularly described as follows: Commencing at the Southeast corner of the Southwest 1/4 of said Section 9; thence North 00°-17'-11" East along the East line of said Southwest 1/4, a distance of 2,439.58 feet; thence South 88°-55'-21" West, a distance of 107.72 feet to a point on the Westerly right-of-way line of County Trunk Highway "N" per Transportation Project Plat No. 1007-10-23-4.20 recorded as Document No. 5176318, said point being the point of beginning; thence continuing South 88°-55'-21" West along the South line of lands described per Document No. 4252441, a distance of 393.88 feet to the Southwest corner of said described lands; thence North 00°-23'-21" East along the West line of said described lands, a distance of 200.00 feet to the Northwest corner of said described lands; thence North 88°-55'-21" East along the North line of said described lands, a distance of 378.98 feet to said Westerly right-of-way line; thence South 07°-10'-58" East along said Westerly right-of-way line, a distance of 112.18 feet; thence South 00°-19'-02" West along said Westerly right-of-way line, a distance of 88.41 feet to the point of beginning and containing 1.788 acres (77,908 sq. ft.) of land 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.

1. The landowner shall record a Certified Survey Map with the Register of Deeds combining both lots. The certified survey map shall include the location of the well and all septic systems or easements on the property.
2. A sanitary easement shall be recorded with the Register of Deeds to reflect the revised location of the drainage field for the benefit of the adjacent landowner.

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:

A deed restriction shall be recorded on the property stating the following:

1. Limit C-2 Commercial uses exclusively to: full service gas station / truck stop, including associated dine-in and drive through restaurant, retail sales and service uses, off street parking of motor vehicles. The parking of semi-truck vehicles shall have a designated rest area.
2. Residential development is prohibited on the property.
3. The installation or erection of off-premises advertising (billboard) signs is prohibited.
4. The business may operate 24/7 all year round.
5. Prior to the issuance of a zoning permits, the applicant shall:
 - a. Obtain approval from Dane County Land and Water Resources regarding site erosion control and storm water management. The owner shall provide a copy of the approved plans to the Town of Pleasant Springs.
 - b. Obtain final site plan approval from the Town of Pleasant Springs Board. The final site plan shall show all environmental features, traffic circulation and parking, loading / unloading areas, landscaping, easements granted to adjoining property owners, and also include proposed signage and a detailed photometric plan for exterior lighting on the property.
 - c. Obtain a sanitary permit from Dane County Environmental Health.
 - d. Provide an emergency response plan for fuel spills to the Town of Pleasant Springs.

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.**