

Amendatory Ordinance No. 2-0821

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Kurt Kapfhamer;

For land being part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18, Town 6N, Range 4E in the Town of Dodgeville affecting tax parcels 008-0207.B, 008-0209 and 008-0211.A;

And, this petition is made to rezone 20.83 acres from A-1 Agricultural to AR-1 Agricultural Residential;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Dodgeville,**

Whereas a public hearing, designated as zoning hearing number **3187** was last held on **July 29, 2021** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was X approved as recommended approved with amendment denied as recommended denied or rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **August 17, 2021**. The effective date of this ordinance shall be **August 17, 2021**.


Kristy K. Spurley
Iowa County Clerk

Date: 08-18-2021



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on July 29, 20201

Zoning Hearing 3187

Recommendation: **Approval**

Applicant(s): Kurt Kapfhamer

Town of Dodgeville

Site Description: SW/NW of S18-T6N-R4E also affecting tax parcels 008-0207.B; 0209; 0211.A

Petition Summary: This is a request to rezone an existing 20.83-acre lot from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. This is currently a legal nonconforming A-1 Ag lot, which means the uses that existed when it became nonconforming (1978) can remain but any new use will require compliance with the current zoning standards. The applicant plans to build a residence, which necessitates rezoning as the lot doesn't meet the current minimum 40-acre lot size for the A-1 district.
2. If approved, the lot would be eligible for one single family residence, accessory structures and limited ag uses, including up to 8 livestock-type animal units.
3. Since this does not involve a land division, there is no associated certified survey map.
4. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:
 1. The petition is consistent with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.
 2. Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available as required by the petition while maintaining adequate levels of service to existing development.
 3. Provisions of public facilities to accommodate the petition will not place an unreasonable burden on the ability of affected local units of government to provide the.
 4. The petition will not result in significant adverse impacts upon surrounding properties or the natural environment, including air, water, noise, stormwater management, soils, wildlife and vegetation.

5. The land associated with the petition is suitable for the proposed development and said development will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas.
6. The petition will not be used to legitimize a nonconforming use or structure.
7. The petition is the minimum action necessary to accomplish the intent of the petition, and an administrative adjustment, variance, or Conditional Use Permit could not be used to achieve the same result.
8. The petition will not result in illegal "spot zoning" (i.e. use is inconsistent with surrounding properties and serves only a private, rather than public interest).

Town Recommendation: The Town of Dodgeville recommends approval.

Staff Recommendation: Staff recommends approval.

