

Amendatory Ordinance No. 2-1021

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Valley of Our Lady, Inc.;

For land being part of the of Section 1, Town 5N, Range 4E in the Town of Ridgeway and Sections 6&7, Town 5N, Range 5E in the Town of Brigham;

And, this petition is made to rezone 194.7 acres from A-1 Agricultural to R-2 Multi Family Residential and 19.49 acres from R-1 Single Family Residential to C-1 Conservancy;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Towns of Brigham and Ridgeway,**

Whereas a public hearing, designated as zoning hearing number **3201** was last held on **September 23, 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 **October 19, 2021**. The effective date of this ordinance shall be **October 19, 2021**.


Kristy K. Spurley
Iowa County Clerk

Date: 10-19-2021



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on September 23, 2021

Zoning Hearing 3201

Recommendation: **Approval**

Applicant(s): Valley of Our Lady, Inc.

Towns of Brigham & Ridgeway

Site Description: S1-T5N-R4E & S6&7-T5N-R35E

Petition Summary: This is a request to rezone approx. 194.7 acres from A-1 Ag to R-2 Multi Family Res and 19.49 acres from R-1 Single Family Res to C-1 Conservancy. The petition includes a Planned Unit Development to include a monastery, accessory structures, private cemetery & ag uses on the R-2 lot.

Comments/Recommendations

1. This petition is the result of a proposed monastery site on an enlarged R-1 lot approved in 2013 (ZH2681) changing. The original approval was granted in 2011 (ZH2568). Both included a private cemetery, accessory uses and ag uses. The current proposal is to zone the bulk of the property to R-2 (monastery is more of a multi-family use than single-family) and the R-1 lot to C-1 for only open space use (Lot 1, CSM1438).
2. If approved, the R-2 lot would be eligible for the uses approved by the associated Planned Unit Development. The C-1 lot would only allow open space uses and no development requiring a county zoning permit.
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 Towns of Brigham and Ridgeway recommend approval.

Staff Recommendation: Staff recommends approval of both the rezoning and the Planned Unit Development as proposed since this is only the relocation of a previously approved land use.

