

Amendatory Ordinance No. 2-0921

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Ronald Ferrell and Cory & Darlene Palzkill;

For land being part of the NE ¼ of the SE ¼ of Section 10, Town 4N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0785, 018-0796, and 018-0799;

And, this petition is made to rezone 5.943 acres from A-1 Agricultural to AR-1 Agricultural Residential, 5.934 acres from A-1 Agricultural to C-1 Conservancy and 40.001 acres with the AC-1 Agricultural Conservancy overlay district;

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

Whereas a public hearing, designated as zoning hearing number **3195** was last held on **August 26, 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 with the condition that the associated certified survey map is duly recorded within 6 months.

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 **September 21, 2021**. The effective date of this ordinance shall be **September 21, 2021**.


Kristy K. Spurley
Iowa County Clerk

Date: 9-21-2021



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on August 26, 2021

Zoning Hearing 3195

Recommendation: **Approval**

Applicant(s): Ronald Ferrell and Cory & Darlene Palzkill

Town of Mineral Point

Site Description: NE/SE of S10-T4N-R3E also affecting tax parcels 018-0785, 018-0796, 018-0799

Petition Summary: This is a request to rezone 5.943 acres to AR-1 Ag Res and 5.934 acres to C-1 Conservancy, both from A-1 Ag. 40.001 acres is proposed to have the AC-1 Ag Conservancy overlay.

Comments/Recommendations

1. The current A-1 zoning has a minimum 40-acre lot size so the proposed lots require rezoning to a different district. 40.001 acres will have the AC-1 overlay to meet the town density standard.
2. If approved, the AR-1 lot would allow one single family residence, accessory structures and limited ag uses, including up to 3 livestock type animal units. The C-1 lot would only allow open space uses and prohibit any development requiring a zoning permit. The AC-1 district allows only open space use and no development that requires a county zoning permit.
3. The associated certified survey map has been submitted for review.
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 Mineral Point is recommending approval.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

