

Amendatory Ordinance 4-0921

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Joyce Berning;

For land being in the NW ¼ of Section 33, Town 5N, Range 4E in the Town of Waldwick affecting tax parcels 026-0357, 026-0359, 026-0360, and 026-0366;

And, this petition is made to rezone 11.58 acres from A-1 Agricultural to AR-1 Agricultural Residential and 40 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 Waldwick,**

Whereas a public hearing, designated as zoning hearing number **3198** 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 be 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: 9-21-2001



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on August 26, 2021

Zoning Hearing 3198

Recommendation: **Approval**

Applicant(s): Joyce Berning

Town of Waldwick

Site Description: part of the NW ¼ of S33-T5N-R4E also affecting tax parcels 026-0357, 026-0359, 026-0360, 026-0366

Petition Summary: This is a request to create a 11.58-acre lot by rezoning from A-1 Ag to AR-1 Ag Res and 40 acres with the AC-1 Ag Conservancy overlay.

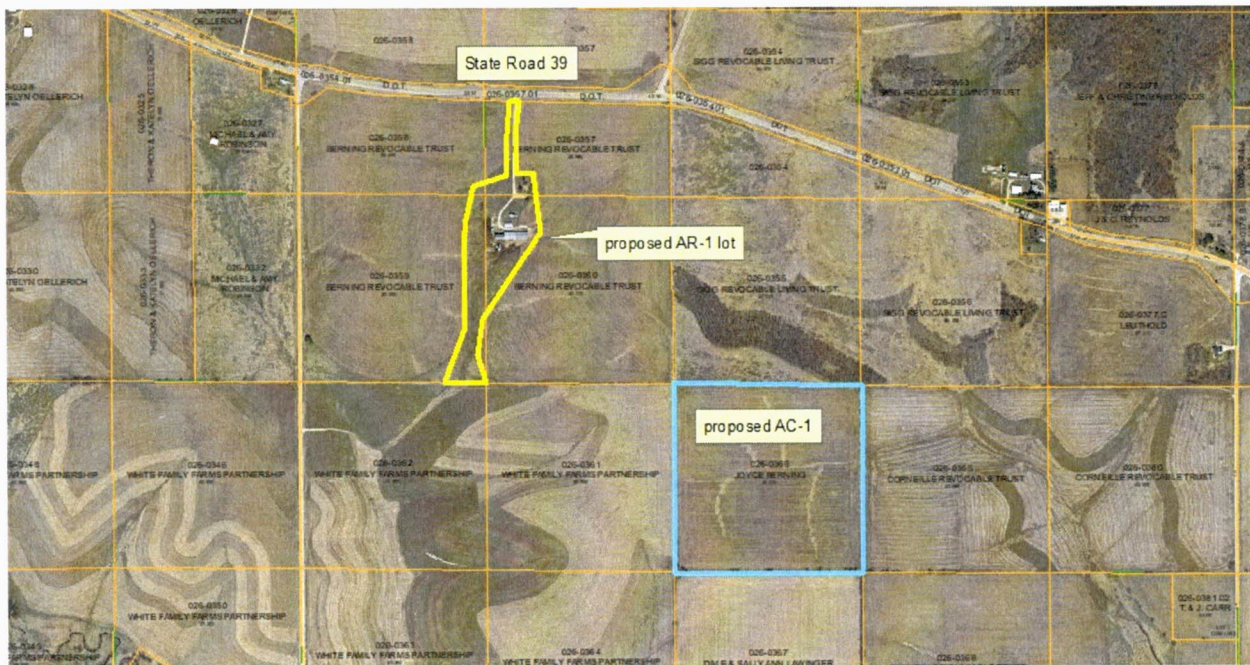
Comments/Recommendations

1. The proposed lot does not meet the minimum 40-acre lot size for the A-1 district so is being requested to be zoned AR-1 Ag Res.
2. The AC-1 Ag Conservancy overlay is being applied to meet the town's residential density. No development requiring a zoning permit will be allowed in the AC-1 district.
3. If approved, the lot will be eligible for one single family residence, accessory structures and limited ag uses, including up to 5 livestock-type animals.
4. The associated certified survey map has been submitted for formal review.
5. 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 Waldwick 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.





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Agenda Item: Consideration of revisions to the Iowa County Manure Storage and Management Ordinance primarily pertaining to reuse of existing structures and nonconforming structures.

Summary: These revisions are being proposed to address issues or inadequacies found after administering the ordinance since enacted in 2019.

Repurposing: The proposed language under Section 1-4 (3) will provide the opportunity for a storage facility owner to propose a different use of the facility when no longer to be used to store manure. A permit requirement is proposed for repurposing under Section 1-5(1)(a)4.

Spreading Requirements: Section 1-5(4) is proposed to include information on the availability of adequate land to meet Technical Standard 590 spreading requirements with the required construction and nutrient management plan.

New Technology: Section 1-5(6)(h) is proposed to provide the opportunity for a permit to allow new technologies provided consistency with applicable NRCS standards included in the Technical Guide and the intent of the ordinance.

Permit Approval Conditions: Section 1-5(8)(e) is proposed to require notes or reports to be submitted by the contractor and (f) is proposed requiring the permittee to provide materials specifications for approval for any component covered by current, applicable NRCS Wisconsin construction specifications of the storage facility prior to installation.

Nonconforming Structures and Facilities: Section 1-7 is proposed to define a nonconforming structure or facility and the requirements to use, close or repurpose said facility.

Violations: Section 1-9 is proposed to clarify that an existing storage facility constructed since February 15, 2000 that does not meet the provisions of Section 1-7 for which there is no record of a permit issued at the time of construction will require a permit with evidence complying with the standards unless a variance is granted.