

Amendatory Ordinance 1-422

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Amanda and William Wipperfurth;

For land being in the E ½ of the NW ¼ of Section 19, Town 8N, Range 5E in the Town of Arena affecting tax parcels 002-0273.F and 002-0273.E;

And, this petition is made to rezone 8.37 acres and 4.84 acres from A-1 Agricultural to AR-1 Agricultural Residential and 3.90 acres from A-1 Agricultural to C-1 Conservancy.

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

Whereas a public hearing, designated as zoning hearing number **3238** was last held on **March 24, 2022** 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 **April 19, 2022**. The effective date of this ordinance shall be **April 19, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 4-19-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Iowa Street, Suite 1223
Dodgeville, WI 53533
608-935-0333/608-553-7575/fax 608-935-0326
Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on March 24, 2022

Zoning Hearing 3238

Recommendation: **Approval**

Applicant(s): Amanda & William Wipperfurth

Town of Arena

Site Description: E1/2 NW of 19-T8N-R5E also affecting tax parcels 002-0273.F; 0273.E

Petition Summary: This is a request to create two AR-1 lots of 8.37 & 4.84 acres and one C-1 Conservancy lot of 3.90 acres by rezoning from A-1 Ag

Comments/Recommendations

1. Currently, the entire property is a single zoning lot as described by deed, despite the multiple tax parcel numbers. The current zoning status is A-1 nonconforming. The outlot is proposed as there is not the minimum 50 feet of contiguity to be included in Lot 1. As an outlot, it is not required to have frontage or access to a public road.
2. The proposed AR-1 lots would allow one single family residence each, accessory structures and limited ag uses, including up to 3 livestock type animal units on the 8.37 acre lot. The C-1 lot would allow open space uses only and no development that requires a zoning permit.
3. The associated certified survey map has been submitted for formal 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 Arena is recommending approval.

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

