

## Amendatory Ordinance 1-622

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Randy & Mary Pitman;**

For land being in the W ½ of the SW ¼ of Section 31, Town 8N, Range 5E in the Town of Arena affecting tax parcels 002-0503 and 002-0504;

**And, this petition is made to rezone 18.54 acres from A-1 Agricultural to AB-1 Agricultural Business and 17.32 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 **3261** was last held on **May 26, 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.

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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 **June 21, 2022**. The effective date of this ordinance shall be **June 21, 2022**.

Kristy K. Spurley  
Kristy K. Spurley  
Iowa County Clerk

Date: 6-21-2022



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on May 26, 2022

Zoning Hearing 3261

Recommendation: **Approval**

**Applicant(s):** Randy & Mary Pitman

**Town of Arena**

**Site Description:** W1/2-SW S31-T8N-R5E also affecting tax parcels 002-0503; 0504

**Petition Summary:** This is a request to rezone 18.54 acres from A-1 Ag to AB-1 Ag Bus and 17.32 acres from A-1 Ag to C-1 Conservancy

#### Comments/Recommendations

1. Currently, this is a contiguous A-1 lot of about 93 acres. The A-1 district has a minimum lot size of 40 acres, so the two proposed lots require rezoning in order to be legally created, despite the existing land use not changing.
2. The proposed AB-1 lot is to be used in association with the adjacent 1.5-acre AB-1 lot where the Mill Creek Cheese factory operates. The associated CUP is to allow the existing waste spreading use to continue.
3. If approved, the C-1 lot would allow open space and ag uses but not any development requiring a county zoning permit. Much of the lot is mapped floodplain and wetlands.
4. The associated certified survey map has not yet 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 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.

