

Amendatory Ordinance 3-1022

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Deborah Woodbury;

For land being in the SE ¼ of the SW ¼ of Section 30, Town 5N, Range 4E in the Town of Waldwick affecting tax parcel 026-0304.A;

And, this petition is made to zone 3.46 acres from A-1 Agricultural to AR-1 Agricultural Residential.

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 **3298** was last held on **September 22, 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.

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 18, 2022**. The effective date of this ordinance shall be **October 18, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 10-18-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on September 22, 2022

Zoning Hearing 3298

Recommendation: **Approval**

Applicant(s): Deborah Woodbury

Town of Waldwick

Site Description: SE/SW of S30 –T5N-R4E also affecting tax parcel 026-0304.A

Petition Summary: This is a request to zone 3.46 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has had a minimum 40-acre lot size since 1978. This lot was created by land contract recorded in 1988.
2. If approved, the AR-1 district would allow one single family residence, accessory buildings and limited ag uses. An associated CUP is being requested for up to 20 animal units to allow her brother to continue pasturing in conjunction with his adjacent land.
3. The lot was created prior to the certified survey map requirement.
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 Waldwick is recommending approval of both the zoning change and CUP

Staff Recommendation: Staff recommends approval of the zoning change.

