

Amendatory Ordinance 3-1122

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Paul Yanna and Joe Nawrot;

For land being in the SE ¼ of the NW ¼ of Section 7, Town 7N, Range 1E in the Town of Highland affecting tax parcels 012-0539.02 and 012-0536.02;

And, this petition is made to zone 36.307 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 Highland,**

Whereas a public hearing, designated as zoning hearing number **3302** was last held on **October 27, 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 **November 15, 2022**. The effective date of this ordinance shall be **November 15, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 11-15-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on October 27, 2022

Zoning Hearing 3302

Recommendation: **Approval**

Applicant(s): Paul Yanna and Joe Nawrot

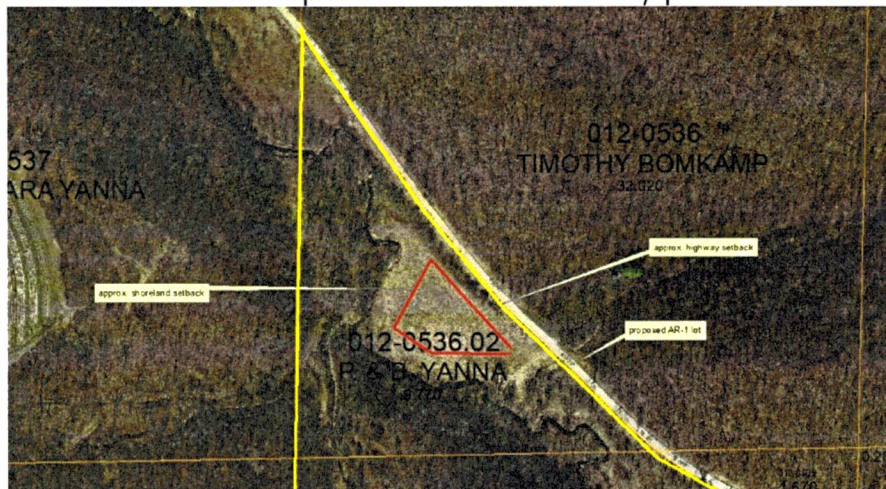
Town of Highland

Site Description: SE/NW of S7 –T7N-R1E also affecting tax parcels 012-0539.02; 0536.02

Petition Summary: This is a request to zone 36.307 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size so the proposed lot requires rezoning in order to be legally created. If approved, there would remain about 63 acres of the parent property zoned A-1 Ag.
2. If approved, the AR-1 district would allow one single family residence, accessory buildings and limited ag uses including up to 11 animal units as defined by the zoning ordinance.
3. The associated certified survey map has not yet been submitted for formal review.
4. There is a navigable waterway that parallels Hooks Rd that is not mapped as floodplain. However, shoreland zoning standards will prohibit any development within 75 feet of the ordinary high water mark of the waterway. There is area in the northwest of the lot that would allow development and meet highway and shoreland setbacks. Development includes a driveway per NR115 Adm Code.



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 Highland 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.

