

Amendatory Ordinance 3-722

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Todd and Staci Upmann;

For land being in the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, Town 7N, Range 1E in the Town of Highland affecting tax parcel 012-0443.02, 012-0442.01, 012-0445, 012-0466.01, and 012-0449;

And, this petition is made to rezone 27.156 acres and 24.5 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 **3276** was last held on **June 23, 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 ✓ 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 **July 19, 2022**. The effective date of this ordinance shall be **July 19, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 7-19-2022



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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on June 23, 2022

Zoning Hearing 3276

Recommendation: **Approval**

Applicant(s): Todd and Staci Upmann

Town of Highland

Site Description: NW & NE/SW S2-T7N-R1E also affecting tax parcel 012-0443.02, 0442.01, 0445, 0446.01 & 0449

Petition Summary: This is a request to change the zoning of two existing lots of 27.156 acres & 24.5 acres from A-1 Ag lot to AR-1 Ag Res.

Comments/Recommendations

1. The lots are currently nonconforming A-1 Ag due to being created after the minimum 40-acre lot size for the A-1 district was enacted in 1978. As such, they are not eligible for development unless made to conform by enlarging or rezoning.
2. If approved, each lot would be eligible for one single family residence, accessory structures, and limited ag uses, including up to 8 livestock-type animal units on the smaller lot and 11 on the larger.
3. There is no proposed division of the property.
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 Highland is recommending approval.

Staff Recommendation: Staff recommends approval.

