

## Amendatory Ordinance 7-622

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Jeff Ihm and David Conlin;**

For land being in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 20, Town 5N, Range 5E in the Town of Moscow affecting tax parcel 020-0133.03;

**And, this petition is made to rezone 5.0 acres from B-2 Highway Business 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 Moscow,**

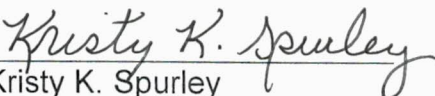
Whereas a public hearing, designated as zoning hearing number **3267** was last held on **May 26, 2022** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve.**

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  
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 3267

Recommendation: **Approval**

**Applicant(s):** Jeff Ihm and David Conlin

**Town of Moscow**

**Site Description:** NW/SW S20-T6N-R5E also affecting tax parcel 020-0133.03

**Petition Summary:** This is a request to zone an existing 5-acre B-2 Hwy Bus lot to AR-1 Ag Res.

#### Comments/Recommendations

1. This lot was zoned B-2 in 2000 (ZH 1726) with a CUP for retail sales of flowers & craft items with associated residence. The intended use of the lot now is just to be residential, which requires the zoning change.
2. There is no proposed division of the property.
3. 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 Moscow is recommending approval.

**Staff Recommendation:** Staff recommends approval.

