

Amendatory Ordinance 7-922

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Bru-Mar LLC and Adam Crist;

For land being in the SE ¼ of the NW ¼ of Section 17, Town 5N, Range 3E in the Town of Mineral Point affecting tax parcel 018-0205;

And, this petition is made to rezone 2.013 acres from A-1 Agricultural to C-1 Conservancy with the balance of the parent lot remaining 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 Mineral Point,**

Whereas a public hearing, designated as zoning hearing number **3292** was last held on **August 25, 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 **September 20, 2022**. The effective date of this ordinance shall be **September 20, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 9-20-2022



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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on August 25, 2022

Zoning Hearing 3292

Recommendation: **Approval**

Applicant(s): Bru-Mar LLC c/o Adam Crist

Town of Mineral Point

Site Description: SE/NW of S17–T5N-R3E also affecting tax parcel 018-0205

Petition Summary: This is a request to zone 2.013 acres from AR-1 Ag Res to C-1 Conservancy with the balance of the parent lot to remain AR-1 Ag Res (24.725 acres).

Comments/Recommendations

1. This proposed division of the existing AR-1 lot requires zoning approval. Since the 2.013 acres is only 66 feet wide, it cannot be developed so the C-1 Conservancy district is proposed with the balance of the original lot remaining AR-1.
2. If approved, the C-1 district would allow open space uses and prohibit any development.
3. The associated certified survey map has not yet been submitted for formal review.
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 Mineral Point 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.

