

## Amendatory Ordinance 8-1122

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Shawn Cassidy and Raymond Harris;**

For land being in the SW ¼ of the SE ¼ of Section 13, Town 4N, Range 4E in the Town of Waldwick affecting tax parcels 026-0672 and 026-0672.01;

**And, this petition is made to zone 1.367 acres from A-1 Agricultural & AR-1 Agricultural Residential to AR-1 Agricultural Residential and 0.115 acre from A-1 Agricultural to C-1 Conservancy.**

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 **3308** 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.

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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 **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 3308

Recommendation: **Approval**

**Applicant(s):** Shawn Cassidy and Raymond Harris

**Town of Waldwick**

**Site Description:** SW/SE of S13-T4N-R4E also affecting tax parcels 026-0672; 0672.01

**Petition Summary:** This is a request to zone 1.367 acres from A-1 Ag & AR-1 Ag Res to AR-1 Ag Res and 0.115 acre from A-1 Ag to C-1 Conservancy.

#### Comments/Recommendations

1. The intent is for Mr. Cassidy to expand his existing AR-1 lot to include land he has currently been using but is titled to Mr. Harris. In exchange, Mr. Harris would be getting the 0.115 acre outlot.
2. If approved, the AR-1 district would allow one single family residence, accessory buildings and limited ag uses but no animal units as defined by the zoning ordinance. The C-1 district would allow open space uses but no development that requires a zoning permit.
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 Waldwick 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.

