

## Amendatory Ordinance 8-522

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Luke Fitzsimmons and Fitzsimmons Farms LLC;**

For land being in the E ½ of the NW ¼ of Section 34, Town 5N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0498.03, 018-0498, and 018-0494.03;

**And, this petition is made to rezone 6.519 acres from A-1 Agricultural and AR-1 Agricultural Residential to all 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**,

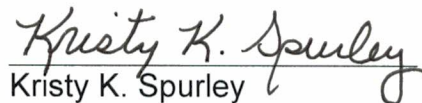
Whereas a public hearing, designated as zoning hearing number **3258** was last held on **April 28, 2022** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map is duly recorded with the Register of Deeds 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 **May 17, 2022**. The effective date of this ordinance shall be **May 17, 2022**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   5-17-2022



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Iowa Street, Suite 1223

Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

[Scott.Godfrey@iowacounty.org](mailto:Scott.Godfrey@iowacounty.org)

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on April 28, 2022

Zoning Hearing 3258

Recommendation: **Approval**

**Applicant(s):** Luke Fitzsimmons and Fitzsimmons Farms LLC

**Town of Mineral Point**

**Site Description:** E1/2 NW S34-T5N-R3E also affecting tax parcels 018-0498.03; 0498; 0494.03

**Petition Summary:** This is a request to enlarge an existing 6.519-acre AR-1 lot to 9.56 acres by adding land currently zoned A-1 Ag.

#### Comments/Recommendations

1. The land to be added to the AR-1 lot is currently zoned A-1 Ag with some having the AC-1 Ag Conservancy overlaid as required when the AR-1 lot was originally approved to meet the town's density. This petition will still comply with the density as no additional residences can be built.
2. The associated certified survey map has not yet been submitted for formal review.
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 Mineral Point is recommending approval.

**Staff Recommendation:** Staff recommends approval with the condition that the associated certified survey map is duly recorded with the Register of Deeds within 6 months of County Board approval.

