

Amendatory Ordinance 1-1023

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Brian Laufenberg and Timothy McGuire;

For land being in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Town 6N, Range 1E in the Town of Highland affecting tax parcels 012-1158 and 012-1158.1,

And, this petition is made to reduce a 37.92-acre AR-1 Agricultural Residential lot to 32.44 acres and to zone 7.72 acres from AR-1 Agricultural Residential to B-2 Highway Business.

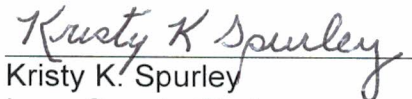
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Highland,**

Whereas a public hearing, designated as zoning hearing number **3370** was last held on **September 28, 2023** 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** with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

Now therefore be it resolved that the 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 **October 17, 2023**. The effective date of this ordinance shall be **October 17, 2023**.


Kristy K. Spurley
Iowa County Clerk

Date: 10-17-2023



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

Planning & Zoning Committee Recommendation Summary

Public Hearing held on September 28, 2023

Zoning Hearing 3370

Recommendation: **Approval**

Applicant(s): Brian Laufenberg and Timothy McGuire

Town of Highland

Site Description: NE/NW of S5-T6N-R1E also affecting tax parcels 012-1158; 1158.1

Petition Summary: This is a request to zone 7.72 acres from AR-1 & B-2 to all B-2 and to reduce a 37.92-acre AR-1 lot to 32.44 acres.

Comments/Recommendations

1. The intent is to enlarge Mr. Laufenberg's 2.23-acre B-2 Hwy Bus lot by adding land from Mr. McGuire that is current zoned AR-1 Ag Res. Included is a Conditional Use Permit to retain the existing taxidermy business and associated residence on the B-2 lot originally approved in 2001 on the current lot.
2. If approved, the B-2 lot would be allowed agricultural cropping and the uses approved by the associated Conditional Use Permit. The AR-1 lot would retain its current allowance for one single family residence, accessory structures and limited ag uses including up to 11 animal units as defined in the Iowa County Zoning Ordinance.
3. The associated certified survey map has 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 Highland is recommending approval.

Staff Recommendation: Staff recommends approval of the zoning change with the conditions that the associated CUP is approved and that the associated certified survey map is duly recorded within 6 months of County Board approval.

