

## Amendatory Ordinance 2-0123

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Mark and Cathy Steien;**

For land being in the NE ¼ of the NW ¼ of Section 36, Town 5N, Range 4E in the Town of Waldwick affecting tax parcels 026-0414 and 026-0414.A;

**And, this petition is made to zone 4.57 acres from A-1 Agricultural & 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 Waldwick,**

Whereas a public hearing, designated as zoning hearing number **3319** was last held on **December 29, 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 conditions that the associated certified survey map is duly recorded and land transfers take place 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 **January 17, 2023**. The effective date of this ordinance shall be **January 17, 2023**.

Kristy K. Spurley  
Kristy K. Spurley  
Iowa County Clerk

Date:   1-17-2023



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on December 29, 2022

Zoning Hearing 3319

Recommendation: **Approval**

**Applicant(s):** Mark & Cathy Steien

**Town of Waldwick**

**Site Description:** NE/NW S36-T5N-R4E also affecting tax parcels 026-0414; 0414.A

**Petition Summary:** This is a request to zone 4.57 acres from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res (enlarging existing 2.27 acre AR-1 lot to 4.57 acres).

#### Comments/Recommendations

1. The intent is to increase an existing 2.27 acre AR-1 lot to 4.57 acres by adding land currently zoned A-1 Ag. This is to create a new lot line for the required setback distance for a detached garage.
2. If approved, the AR-1 lot will retain its existing uses.
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.

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

