

Amendatory Ordinance 2-0423

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Paul and Audrey Gaynor;

For land being in the NW ¼ of Section 4, Town 6N, Range 3E in the Town of Dodgeville affecting tax parcels 008-0842, 008-0844, and 008-0845.

And, this petition is made to zone 14.358 acres from A-1 Agricultural to 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 Dodgeville,**

Whereas a public hearing, designated as zoning hearing number **3329** was last held on **March 23, 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 conditions that the balance of the property be combined by deed with adjacent land to meet the minimum 40-acre lot size for the A-1 Agricultural district and that the associated certified survey map is duly recorded within 6 months of County Board approval.

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 **April 18, 2023**. The effective date of this ordinance shall be **April 18, 2023**.


Kristy K. Spurley
Iowa County Clerk

Date: 4-18-2023



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 23, 2023

Zoning Hearing 3329

Recommendation: **Approval**

Applicant(s): Paul & Audrey Gaynor

Town of Dodgeville

Site Description: NW ¼ of S4-T6N-R3E also affecting tax parcels 008-0842; 0844; 0845

Petition Summary: This is a request to zone 14.358 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size so rezoning is required in order to legally create the proposed lot.
2. If approved, the AR-1 lot would allow one single family residence, accessory buildings and limited ag uses, including up to 5 animal units as defined by the Iowa County Zoning Ordinance.
3. The applicant intends to combine the remaining balance of the A-1 land...less than 40 acres...with adjacent land to the east also zoned A-1 Ag and owned by the applicant.
4. The associated certified survey map has been submitted for formal review.
5. 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 Dodgeville is recommending approval with the condition that the balance of their property be consolidated by deed to meet the minimum 40-acres required in the A-1 district.

Staff Recommendation: Staff recommends approval with the condition that associated certified survey map is duly recorded and the balance of their property be consolidated by deed within 6 months of County Board approval.

