

Amendatory Ordinance 4-0423

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Patrick L. Fillback and Patricia Fillbach Estate;

For land being in the SE ¼ of the NE ¼ and NE ¼ of the SE ¼ of Section 32, Town 7N, Range 2E in the Town of Highland affecting tax parcels 012-0289 and 012-0302.

And, this petition is made to zone 3.94 acres and 7.11 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 Highland,**

Whereas a public hearing, designated as zoning hearing number **3331** 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 condition that 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

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 March 23, 2023

Zoning Hearing 3331

Recommendation: **Approval**

Applicant(s): Patrick L. Fillback and Patricia Fillback Estate

Town of Highland

Site Description: SE/NE & NE/SE of S32-T7N-R2E also affecting tax parcels 012-0289; 0302

Petition Summary: This is a request to zone 3.94 acres & 7.11 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. This is a return request originally considered per ZH3245 in 2022. The condition of approval that the associated certified survey map be duly recorded within 6 months of the County Board approval was not met, thus the action became null and void. This petition is the same as ZH3245.
2. If approved, the AR-1 district would allow one single family residence, accessory buildings and limited ag uses on each lot, including up to 3 animal units, as defined by the Iowa County Zoning Ordinance, on the larger lot but none on the smaller lot.
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 had recommended approval in 2022 and nothing has materially changed.

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

