

## Amendatory Ordinance 4-1223

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Keith & Amanda Hasburgh;**

For land being in the SW ¼ of the NE ¼ of Section 27, Town 7N, Range 2E in the Town of Highland affecting tax parcels 012-0192 and 012-0194,

**And, this petition is made to zone 27.0 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 **3382** was last held on **November 30, 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.**

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.

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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 **December 19, 2023**. The effective date of this ordinance shall be **December 19, 2023**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   **12-19-2023**





## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing held on November 30, 2023

Zoning Hearing 3382

Recommendation: **Approval**

Applicant(s): Keith & Amanda Hasburgh

Town of Highland

Site Description: SW/NE of S27-T7N-R2E also affecting tax parcels 012-0192, 0194

Petition Summary: This is a request to zone 27.0 acres from A-1 Ag to AR-1 Ag Res.

#### Comments/Recommendations

1. This lot was created prior to the enactment of a minimum 40-acre lot size for the A-1 district (1978). However, only those uses that lawfully existed at that time are allowed to continue and any new use requires compliance with the current ordinance. The applicants propose to build a residence.
2. If approved, the AR-1 lot would allow 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 lot was created prior to the certified survey map requirement.
4. There is buildable area between Factor Rd and Dickinson Creek, which is considered a navigable waterway subject to shoreland zoning regulations.
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 those services.
  - 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.

