

Amendatory Ordinance 2-0224

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Shane Budack;

For land being in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Town 6N, Range 3E in the Town of Dodgeville affecting tax parcel 008-0956.E,

And, this petition is made to zone 1.99 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 **3398** was last held on **February 1, 2024** 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 a shared driveway agreement acceptable by both parties sharing the driveway be recorded with the Register of Deeds within 6 months.

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 **February 20, 2024**. The effective date of this ordinance shall be **February 20, 2024**.


Kristy K. Spurley
Iowa County Clerk

Date: 2-20-2024



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 February 1, 2024

Zoning Hearing 3398

Recommendation: **Approval**

Applicant(s): Shane Budack

Town of Dodgeville

Site Description: NW/SE of S9-T6N-R3E also affecting tax parcel 008-0956.E

Petition Summary: This is a request to zone 1.99 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum lot size of 40 acres and this lot was created since that was enacted. It is considered nonconforming and ineligible for permits unless rezoned or enlarged to 40 or more acres.
2. If approved, the lot would be eligible for one single family residence (existing), accessory structures and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance, without a Conditional Use Permit.
3. The lot was created prior the requirement for description by certified survey map.
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 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 Dodgeville is recommending approval with the condition that there be a shared driveway agreement accepted by both parties of the shared driveway.

Staff Recommendation: Staff recommends approval with the town's condition adding that the agreement be recorded with the Register of Deeds within 6 months of County Board approval.

