

## Amendatory Ordinance 3-0424

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Adam Crist and Ruth Spurley;**

For land in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 1, Town 5N, Range 1E in the Town of Linden affecting tax parcels 014-1202, 014-1203, 014-1204 and 014-1205,

**And, this petition is made to zone 35.242 acres and 7.92 acres from A-1 Agricultural to AR-1 Agricultural Residential, and 1.0 acre from A-1 Agricultural to C-1 Conservancy.**

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Linden,**

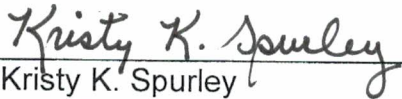
Whereas a public hearing, designated as zoning hearing number **3409** was last held on **March 28, 2024** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   4-16-2024





## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3409

Recommendation: **Approval**

**Applicant(s):** Adam Crist and Ruth Spurley

**Town of Linden**

**Site Description:** SW/SW of S1-T5N-R1E also affecting tax parcels 014-1202 to 1205

**Petition Summary:** This is a request to zone 35.242 acres and 7.92 acres from A-1 Ag to AR-1 Ag Res as well as 1.0 acre from A-1 Ag to C-1 Conservancy.

#### Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size, so rezoning is required to legally create the proposed lots.
2. If approved, each of the AR-1 lots would be eligible for one single-family residence, accessory structures, and ag uses including up to 3 animal units, as defined in the Iowa County Zoning Ordinance, on the 7.92 acres and 11 animal units on the 35.242 acres. The C-1 lot would be prohibited from development. It is intended to be the site of a memorial.
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 Linden is recommending approval.

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

