

Amendatory Ordinance 4-0124

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Rick Jones;

For land being in the E ½ of the NW ¼ of Section 2 Town 4N, Range 1E in the Town of Mifflin affecting tax parcels 016-0640, 016-0643 and 016-0644,

And, this petition is made to zone 15.0 acres from A-1 Agricultural to AR-1 Agricultural Residential and 43.62 acres with the AC-1 Agricultural Conservancy overlay district.

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

Whereas a public hearing, designated as zoning hearing number **3394** was last held on **December 28, 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 a minimum 66-foot wide easement to Log Town Rd be provided to the proposed lot and 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.

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



Kristy K. Spurley
Iowa County Clerk

Date: 1-16-2024



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Planning & Zoning Committee Recommendation Summary

Public Hearing held on December 28, 2023

Zoning Hearing 3394

Recommendation: **Approval**

Applicant(s): Rick Jones

Town of Mifflin

Site Description: E1/2-NNW of S2-T4N-R1E also affecting tax parcels 016-0640; 0643; 0644

Petition Summary: This is a request to rezone 15.0 acres from A-1 Ag to AR-1 Ag Res with 43.62 acres having the AC-1 Ag Conservancy overlay.

Comments/Recommendations

1. The minimum lot size for the A-1 district is 40 acres, so rezoning is required to legally create the proposed lot. The AC-1 overlay is required to comply with the town's 1:40 acre residential density.
2. If approved, the AR-1 lot would be eligible for one single family residence (existing), accessory structures and limited ag uses but including up to 8 animal units as defined in the Iowa County Zoning Ordinance. The AC-1 area would allow all uses allowed in the underlying A-1 district but prohibits all building or structures.
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 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 Mifflin is recommending approval.

Staff Recommendation: Staff recommends approval with the conditions that there be a minimum 66-foot wide easement to Log Town Rd provided to the proposed lot and that the associated certified survey map is recorded within 6 months of the County Board approval of the zoning change.

