

Amendatory Ordinance 4-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Bradley & Anita Berget and the Meylor Revocable Trust;

For land in the N ½ of the NW 1/4 of Section 15 and SE ¼ of the SW ¼ of S10, all in Town 4N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0873 and 018-0874,

And, this petition is made to zone 2.69 acres from A-1 Agricultural to AR-1 Agricultural Residential with 40 acres having 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 Mineral Point,**

Whereas a public hearing, designated as zoning hearing number **3410** 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.

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 3410

Recommendation: **Approval**

Applicant(s): Bradley & Anita Berget and Meylor Rev Trust

Town of Mineral Point

Site Description: N1/2-NW S15 & SE/SW S10, all T4N-R3E also affecting tax parcels 018-0873; 0874

Petition Summary: This is a request to zone 2.69 acres from A-1 Ag to AR-1 Ag Res and 40 acres zoned with the AC-1 Ag Conservancy overlay district.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size so rezoning is required in order for the lot to be legally created. The AC-1 overlay is required to meet the town's residential density and would allow ag uses but no development.
2. If approved, the lot would be eligible for one single family residence, 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 associated certified survey map has not yet been submitted for 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 Mineral Point is recommending approval.

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

