

Amendatory Ordinance 1-0721

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Randy & Patricia Davis and Susan Deronne Trust;

For land being in the SW ¼ of the SE ¼ of Section 20 and NW ¼ of the NE ¼ of Section 29 all in Town 6N, Range 2E in the Town of Linden affecting tax parcels 014-0037 and 014-0262.B;

And, this petition is made to rezone 1.163 acres from A-1 Agricultural & B-2 Highway Business and to B-2 Highway Business and 2.185 acres from A-1 Agricultural & B-2 Highway Business 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 Linden,**

Whereas a public hearing, designated as zoning hearing number **3181** was last held on **June 24, 2021** 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** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that 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 _____ 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 **July 20, 2021**. The effective date of this ordinance shall be **July 20, 2021**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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 June 24, 2021

Zoning Hearing 3181

Recommendation: **Approval**

Applicant(s): Randy & Patricia Davis and Susan Deronne Trust

Town of Linden

Site Description: SW/SE of S20 & NW/NE of S29 in T6N-R2E also affecting tax parcels 014-0037; 0262.B

Petition Summary: This is a request to create two lots and to correct ownership based on historical occupation/use.

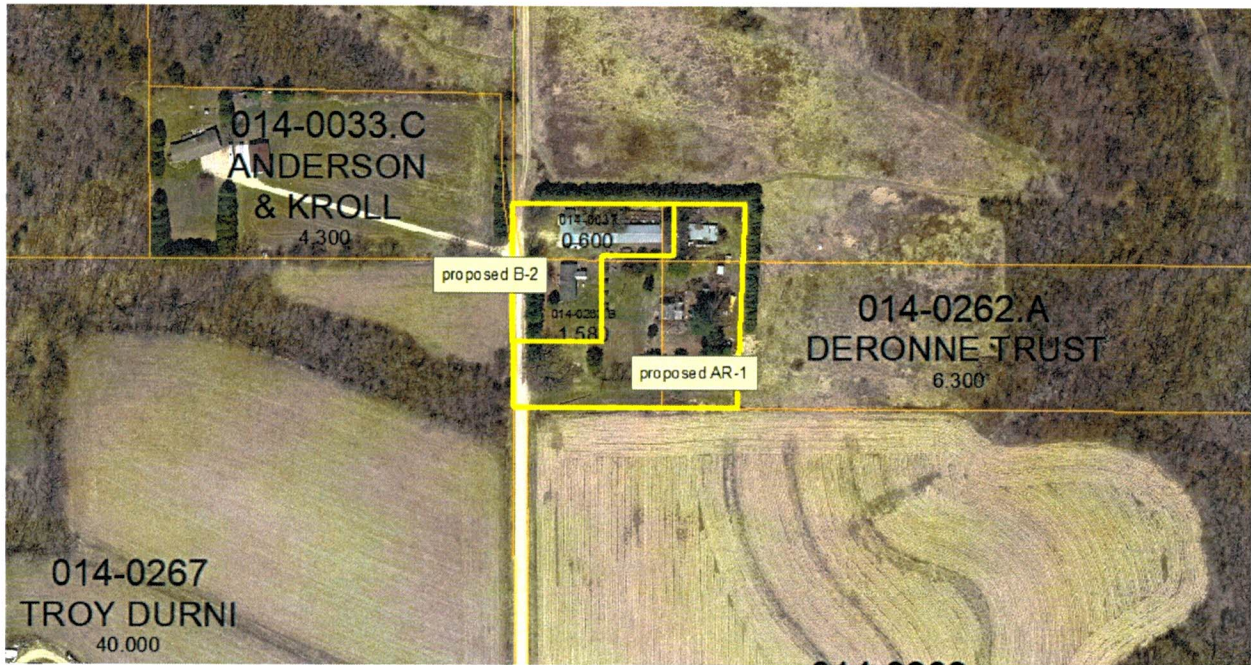
Comments/Recommendations

1. The current Davis lot was approved for auto repair, meat processing and a related residence in 1994. The area occupied by the Davis's exceeds the described property, so they are now acquiring the occupied area from the Trust.
2. The application proposes to divide the intended lot into two lots with one keeping the existing uses and the other zoned to allow a residence.
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 the.
 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.



Amendatory Ordinance No. 2-0721

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Iowa County, Wisconsin and Tyler & Erica Jenson;

For land being part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Town 6N, Range 2E in the Town of Linden affecting tax parcels 014-0156 and 014-0156.A;

And, this petition is made to rezone 1.0 acre from A-1 Agricultural and AR-1 Agricultural Residential to all AR-1 Agricultural Residential intending to replace the incorrect legal description of Zoning Hearing #772;

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 **3182** was last held on **June 24, 2021** 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** said petition.

Now therefore be it resolved that 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 _____ 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 **July 20, 2021**. The effective date of this ordinance shall be **July 20, 2021**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on June 24, 2021

Zoning Hearing 3182

Recommendation: **Approval**

Applicant(s): Iowa Co. and Tyler & Erica Jenson

Town of Linden

Site Description: NE/SE of S26-T6N-R2E also affecting tax parcels 014-0156; 0156.A

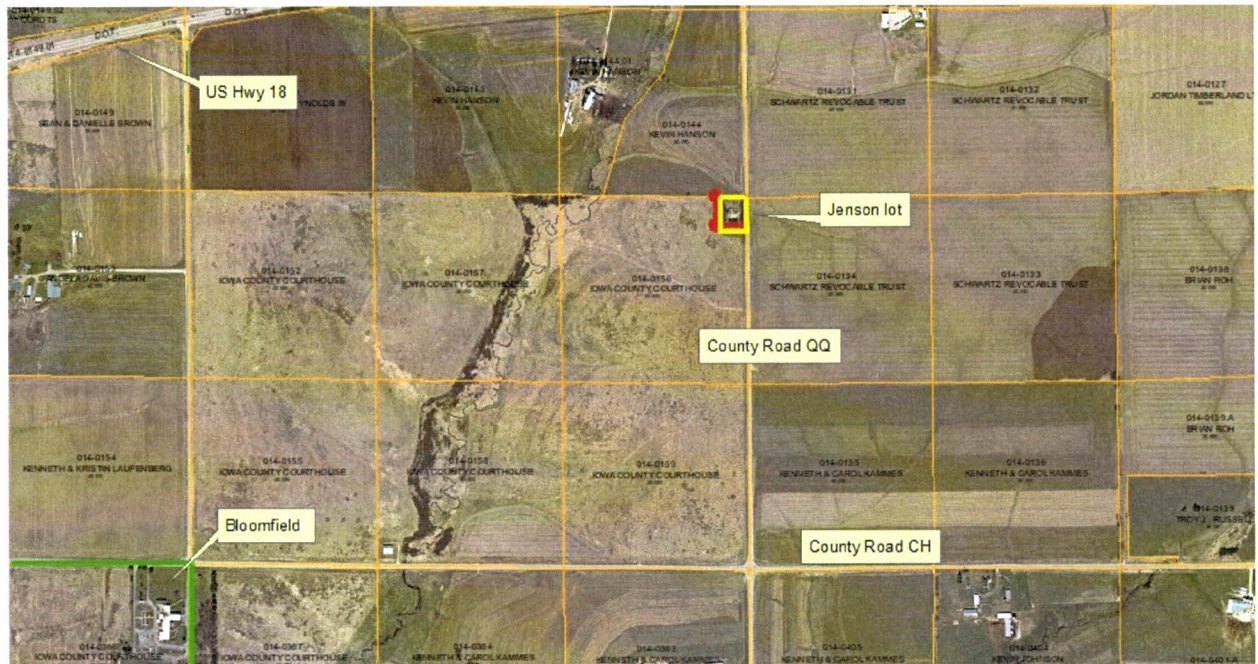
Petition Summary: This is a request to correct a poor legal description between the two landowners to follow historic occupation/use.

Comments/Recommendations

1. The current lot was owned by Iowa County and sold to a previous owner in 1989 using a square-acre description. However, aerial photo evidence shows the occupation lines have always been more of a rectangle (new lot).
2. The General Government Committee agreed to the exchange of property to correct the description which has taken place by the recording of quit claim deeds.
3. This request is to make the zoning lot match the new legal lot. The allowed use of the Jenson lot will not change.

Town Recommendation: The Town of Linden recommendation is not required for county owned land.

Staff Recommendation: Staff recommends approval.



Amendatory Ordinance No. 3-0721

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Paul Haviland and Regina Fischer;

For land being part of the SE ¼ of Section 18, Town 7N, Range 3E in the Town of Clyde affecting tax parcels 006-0097, 006-0101, and 006-0099;

And, this petition is made to rezone two 15.0 acre lots 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 Clyde,**

Whereas a public hearing, designated as zoning hearing number **3183** was last held on **June 24, 2021** 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** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that 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 _____ 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 **July 20, 2021**. The effective date of this ordinance shall be **July 20, 2021**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on June 24, 2021

Zoning Hearing 3183

Recommendation: **Approval**

Applicant(s): Paul Haviland and Regina Fischer

Town of Clyde

Site Description: part of the SE ¼ of S18-T7N-R3E also affecting tax parcels 006-0097; 0101; 0099

Petition Summary: This is a request to create two 15-acre lots by rezoning from A-1 Ag to AR-1 Ag Res.

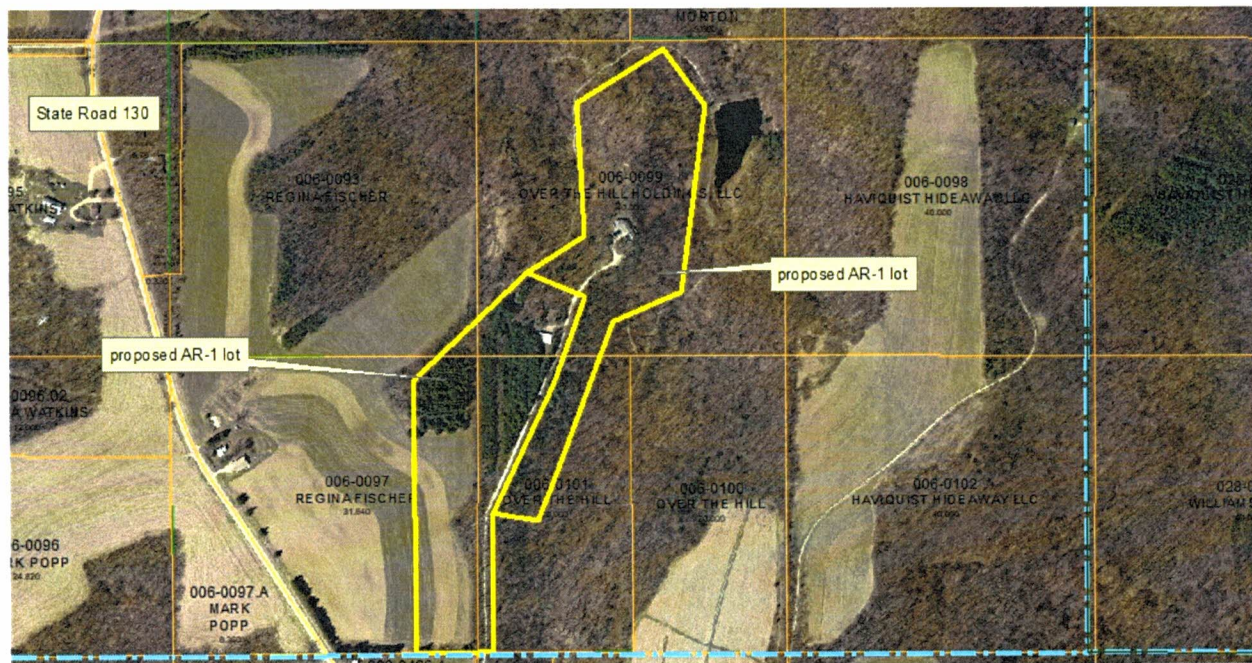
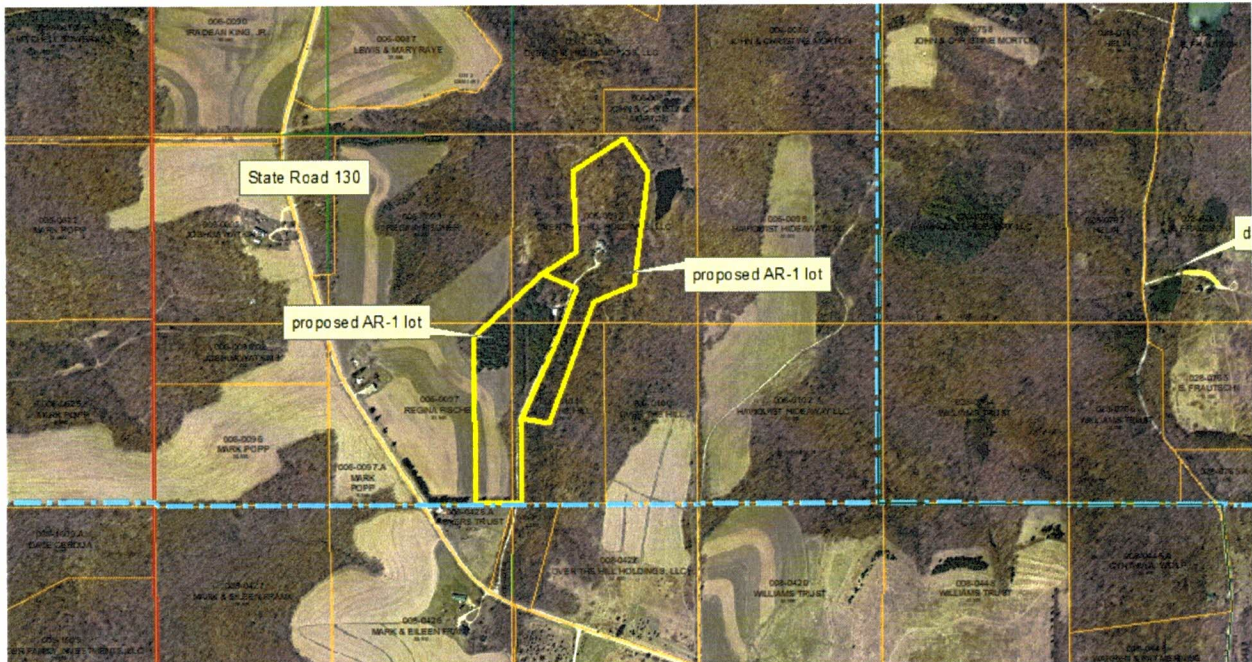
Comments/Recommendations

1. The proposed lots do not meet the minimum 40-acre lot size to remain zoned A-1 Ag.
2. If approved, each lot would allow one single family residence, accessory structures and limited ag uses, including up to 8 livestock type animal units.
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 the.
 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 Clyde is recommending approval.

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



AGENDA ITEM COVER SHEET

Title: Amendatory Ordinance to revise the Iowa County Comprehensive Plan

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

To revise the Plan to be consistent with the Town of Mineral Point Comprehensive Plan residential development density standards.

RECOMMENDATIONS (IF ANY):

approve

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

FISCAL IMPACT:

none

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Scott A. Godfrey

DEPT: Office of Planning & Development

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: June 24, 2021

AGENDA ITEM # 7

COMMITTEE ACTION:

Approve

Amendatory Ordinance No. 4-0721

Whereas, the County Board of Iowa County, Wisconsin, has adopted Ordinance No. 400.15 the “Iowa County Comprehensive Plan” pursuant to §66.1001(4)(c) of the Wisconsin Statutes;

Whereas, this Plan is a document that merits occasional review and revision;

Whereas, the Town of Mineral Point Board has acted to revise its Comprehensive Plan relating to residential development density standards;

Whereas, the Iowa County Comprehensive Plan is a compilation of Town Plans thereby necessitating both to remain consistent;

Whereas, a public hearing was held before the Iowa County Planning & Zoning Committee on June 24, 2021 as required by §66.1001(4) Wisconsin Statutes after which action was taken by the Committee to recommend approving revisions to the Iowa County Comprehensive Plan for consistency with changes in the above referenced Town Plan.

Now Therefore Be It Resolved, that the County Board of Iowa County, Wisconsin agrees to approve the revisions to Sections H and I of the Iowa County Comprehensive Plan per Attachment A.

Adopted by the County Board this _____ day of _____, 2021.

John M. Meyers
Iowa County Board Chair

Attest: _____
Kris Spurley
Iowa County Clerk

Attachment A

1) Section H: Land Use Element

Table H.1h (cont.) – Town of Mineral Point

LAND USE POLICIES – For Rural Residential Siting Criteria

1. Meet with Mineral Point Township Planning Commission to determine project compatibility with goals of the Township. (May include various on-site visits.)

The first step in any development project is to pick up a “development packet” from the county zoning administrator or Town clerk. This packet will include key points from the Town comprehensive plan and the necessary steps to follow. After reviewing the packet, the individual must meet with the Planning Commission. The Commission will help determine whether the proposed project is compatible with the Town comprehensive plan. This would include a review of the Town land use map, Town ordinances and compliance with the density standard. The meeting would also lay-out the steps required to comply with the other siting criteria including:

- minimum lot size, driveway standards, determination of crop or agricultural use history, compatibility with surrounding land uses and a visual impact determination.
- items that must be handled at the county level including well, septic, floodplain, wetland and zoning issues.

An on-site visit may be scheduled at this time with members of the Commission.

2. Density Standard (1 ~~development right~~residence per 40 acres)

Residential development is not encouraged in the agricultural areas of the Township. However, a residence may be allowed if the 40 acre density standard is met. ~~Existing residences count against the density standard and are indicated on a wall map at the Mineral Point Town Hall. Highlighted sections of the map indicate residences existing as of Jan. 1, 2004 and their associated 40 acre (or less) land parcels. The highlighted areas may not be used again in regards to density standard.~~

~~There are two ways to meet the density standard:~~

- ~~1) The individual owns 40 or more acres.~~
- ~~2) The individual owns 40 or more acres and wishes to split off a parcel for sale to be used for a residence. The individual must identify the residential parcel and:~~
 - ~~a. change the zoning of the balance of the attached 40 acre parcel to C-1 Conservancy, or~~

~~change the zoning of a separate 40 acre parcel to the AC-1 (Exclusive Agricultural Conservancy Overlay District) or C-1 Conservancy District. (Parcel can be either adjoining or not adjoining to the proposed residence. Administration of the density standard shall be by employing the C-1 Conservancy or AC-1 Agricultural Conservancy Overlay districts to encumber the necessary acres of the parent property from development. Example: A proposal to create a 2-acre residential lot by division off a 100-acre A-1 Agricultural farm shall require at least 38 acres of the remaining 98 acres to have the C-1 or AC-1 zoning designation with the proposed 2 acres zoned to a residential district.~~

Exceptions to Density:

- 1) Those parcels or tracts of land that existed by deed recorded prior to Jan. 1, 2004 that are between 2 and 79.99 acres area eligible for one division without need to meet the 40-acre density requirement.
- 2) A second farm-related residence in the A-1 Agricultural district on a lot of 40 or more acres that meets all the requirements under the Iowa County Zoning Ordinance.

The Township of Mineral Point will not approve an application for removal of lands from the A-1C Exclusive Agricultural Conservancy Overlay District unless future Township-wide reviews of the comprehensive plan (via Class One Notice Public Hearings and/or referendum) indicate residents no longer favor having agriculture as the defining feature of the Township.

“Development rights” are determined by adding up all of the Township acreage owned by an individual landowner and dividing by 40 acres. The resulting whole number is the number of “development rights” available to that landowner. If the remainder number is 30 acres or greater, an additional “development right” is available.

Number of

of Development

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Acres Owned	Rights
0-40.0	1
40.1-69.99	1
70.00-109.99	2
110.00-149.99	3
150.00-189.99	4
190.00-229.99	5
230.00-269.99	6
270.00-309.99	7
310.00-349.99	8

For Acres Larger than provided in the chart — see Town Clerk.

Substandard vacant lots of between 2 acres and 40 acres listed as a parcel of record Jan. 1, 2004 are eligible for a "development right."

2.1. Substandard Parcels
Parcels of land that are less than 40 acres but more than 2 acres may qualify for a single development right. These parcels must not have a residence on them as of January 1, 2004 and must have been recorded at the Register of Deeds Office at the Iowa County Courthouse as of January 1, 2004. The proposed development must meet all of the other criteria in Table A and Table B in Section I, Implementation Element.

3. Compliance with Land Use Map
The Township land use map will be consulted to determine compatibility and whether the project is in the Township or in the Mineral Point Extra Territorial Zone.

4. Compliance with Town Ordinances
Applicable Township ordinances will be reviewed to determine compliance.

5. Minimum lot size (1 acre)
The minimum lot size for new residential construction is one acre.

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2) Section I: Implementation Element

Table I.1i: Town of Mineral Point Rural Residential Siting Criteria

Complies	Does Not Comply	Criteria
☐	☐	1. Meet with the Town of Mineral Point Plan Commission to Review Request
☐	☐	2. Comply with the Density Standard of 1 Home per 40 Acres (see Section H for details)
☐	☐	3. Compliance with Town Land Use Map, Map H.1
☐	☐	4. Compliance with Town Ordinances
☐	☐	5. Minimum Lot Size 1 Acre
☐	☐	6. Compatibility with Surrounding Land Uses
☐	☐	7. Agricultural Impact Determination
☐	☐	8. Visual Impact Determination
☐	☐	9. Compliance with the Town of Mineral Point Driveway Ordinance
☐	☐	10. Provide a Detailed Site Map