

Amendatory Ordinance 1-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Tom Frischmann;

For land being in the SW ¼ of the SE ¼ of Section 35, Town 8N, Range 4E in the Town of Arena affecting tax parcel 002-1271.

And, this petition is made to zone 30.0 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 Arena**,

Whereas a public hearing, designated as zoning hearing number **3335** was last held on **April 27, 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**.

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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.

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 April 27, 2023

Zoning Hearing 3335

Recommendation: **Approval**

Applicant(s): Tom Frischmann

Town of Arena

Site Description: SW/SE of S35-T8N-R4E also affecting tax parcel 002-1271

Petition Summary: This is a request to zone 30.0 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

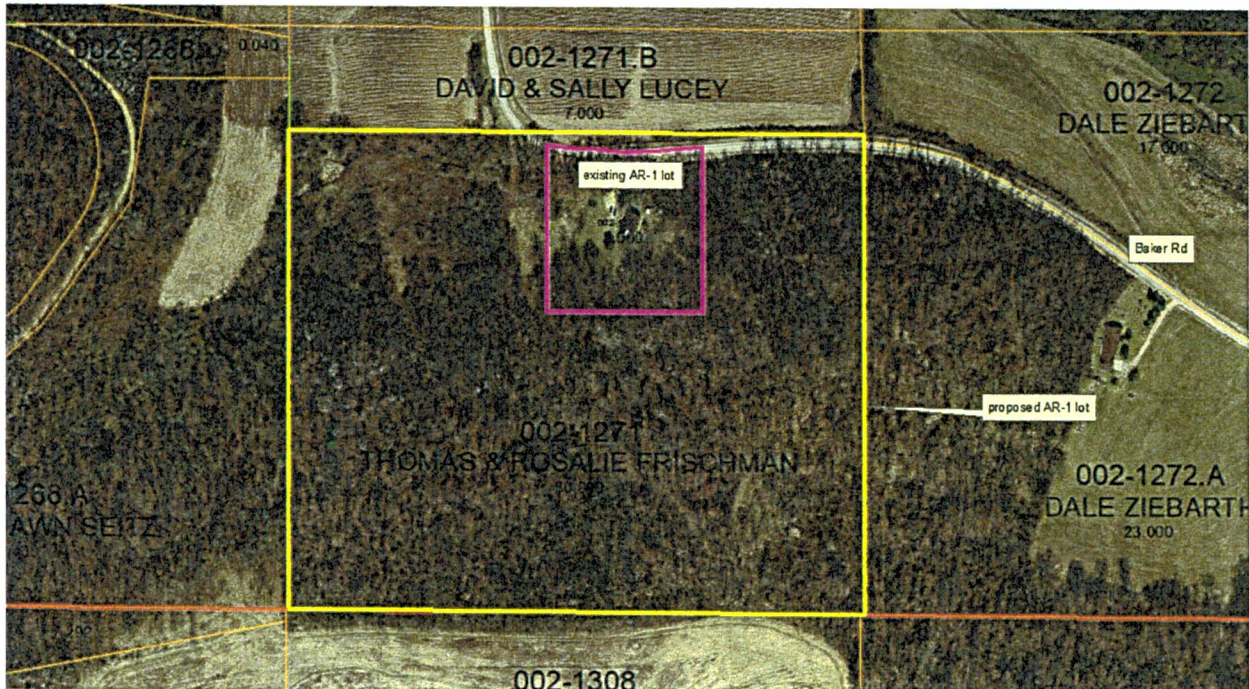
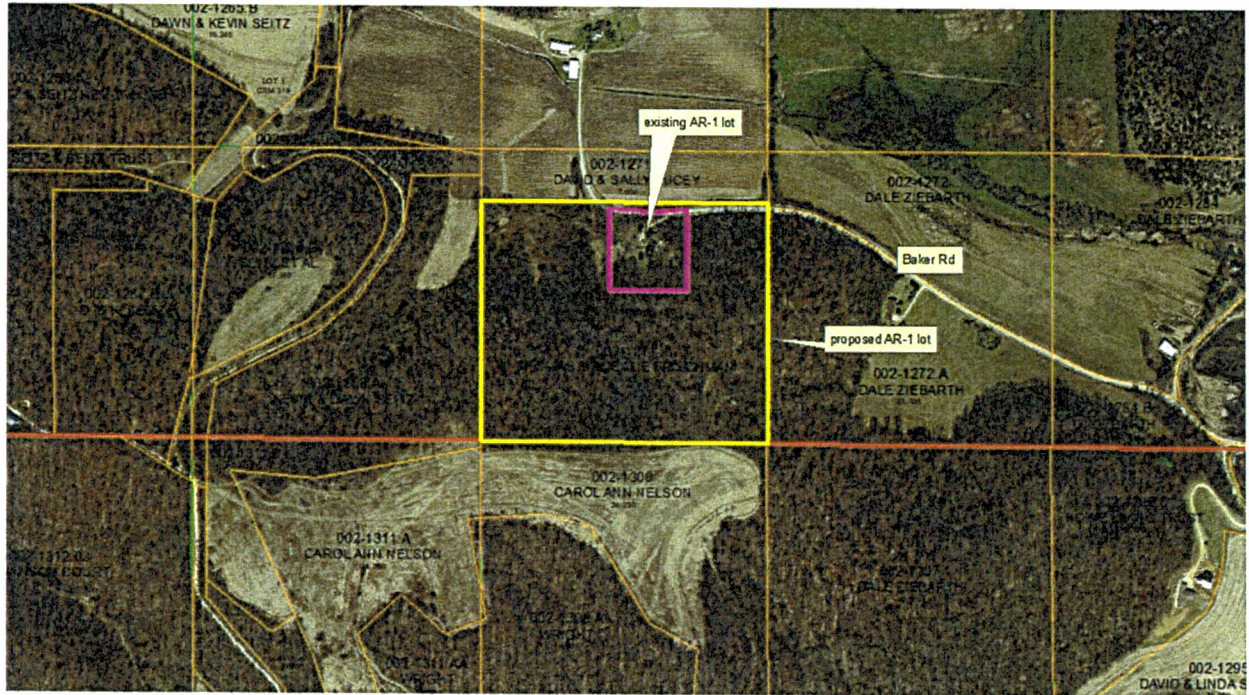
1. The existing 30-acre lot is currently nonconforming due to not meeting the minimum 40-acre lot size for the A-1 district. The proposal is to make it conform by rezoning to the AR-1 district, which doesn't require 40 acres.
2. If approved, the lot would allow one single family residence, accessory buildings and limited ag uses, including up to 11 animal units as defined by the Iowa County Zoning Ordinance.
3. There is no associated certified survey map as this lot was created prior to that requirement.
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 Arena has reviewed and is recommending approval.

Staff Recommendation: Staff recommends approval.



Amendatory Ordinance 2-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Marc Nelson, Terry Lyght and Donald Hastings;

For land being in the E ½ of the NE ¼ of Section 13, Town 6N, Range 3E and W ½ of the NW ¼ of S18-Town 6N, Range 3E in the Town of Dodgeville affecting tax parcels 008-0202.03, 008-0203.01, and 008-015.04.

And, this petition is made to zone 3.83 acres 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 Dodgeville,**

Whereas a public hearing, designated as zoning hearing number **3336** was last held on **April 27, 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 condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.

Kristy K. Spurley
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Planning & Zoning Committee Recommendation Summary

Public Hearing held on April 27, 2023

Zoning Hearing 3336

Recommendation: **Approval**

Applicant(s): Marc Nelson, Terry Lyght & Donald Hastings

Town of Dodgeville

Site Description: E1/2-NE S13-T6N-R3E and W1/2-NW S18-T6N-R4E also affecting tax parcels 008-0202.03; 0203.01; 1015.04

Petition Summary: This is a request to zone 3.83 acres from A-1 Ag to C-1 Conservancy.

Comments/Recommendations

1. This 3.83-acre lot was created when Mr. Nelson sold property to Messrs. Lyght & Hastings simply because it only touches the rest of the formers' land at a point, thus not being legally contiguous.
2. The A-1 district has a minimum 40-acre lot size so the 3.83 acres either requires rezoning or additional land be transferred to create contiguity.
3. If approved, the C-1 lot would allow open space uses but no development that requires a county permit. The majority of the lot is encumbered by mapped wetland and shoreland zoning, which would prohibit most development.
4. The associated certified survey map has been submitted for formal review.
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 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 Dodgeville 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 3-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Rodney Wardell;

For land being in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Town 7N, Range 1E in the Town of Highland affecting tax parcels 012-0852, 012-0847.02 and 012-0848.

And, this petition is made to zone 3.0 and 7.0 acres from AR-1 Agricultural Residential to A-1 Agricultural and 9.99 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 Highland,**

Whereas a public hearing, designated as zoning hearing number **3338** was last held on **April 27, 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 condition that associated certified survey map is duly recorded within 6 months of County Board approval.

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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.

Kristy K. Spurley
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Planning & Zoning Committee Recommendation Summary

Public Hearing held on April 27, 2023

Zoning Hearing 3338

Recommendation: **Approval**

Applicant(s): Rodney Wardell

Town of Highland

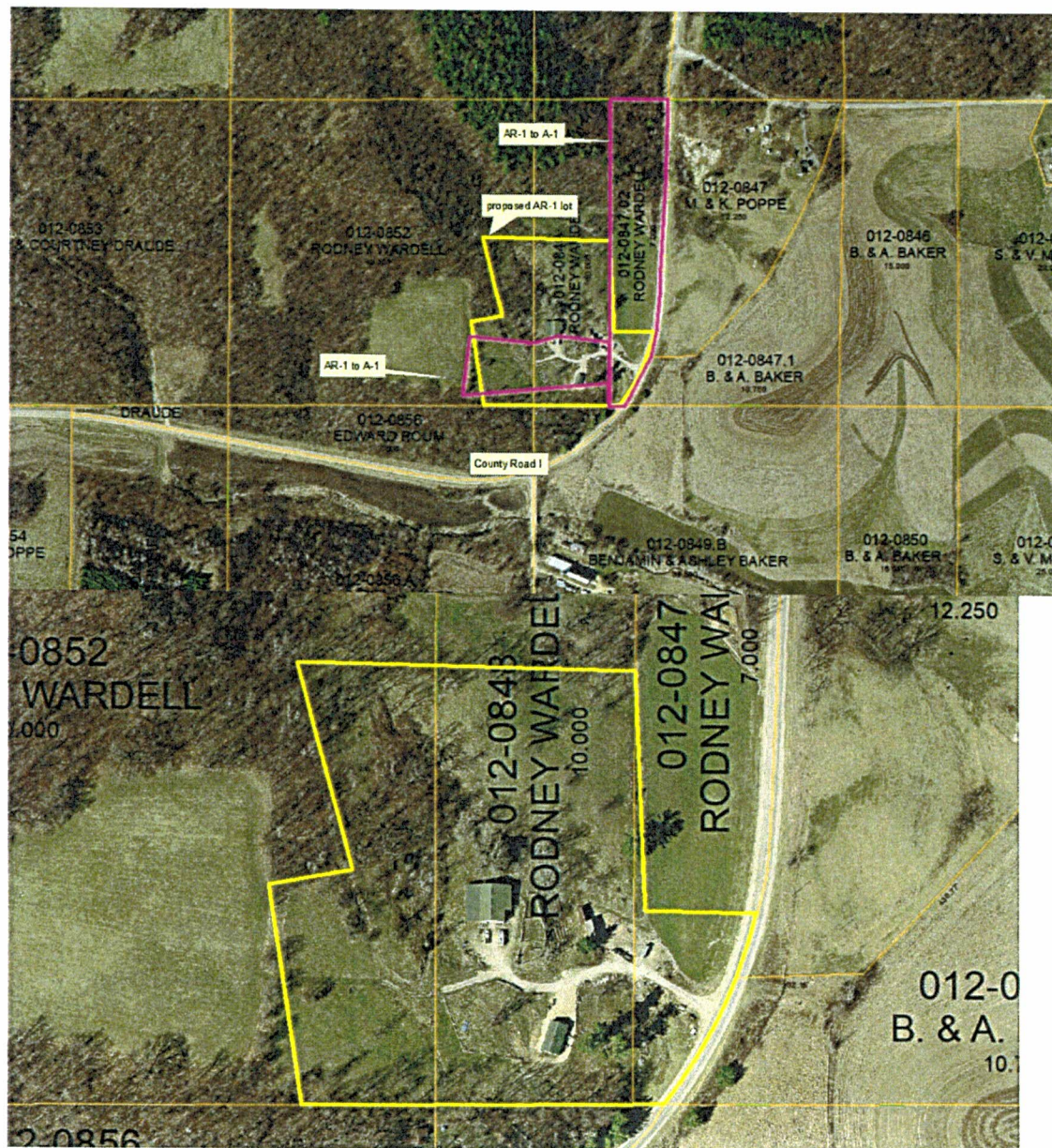
Site Description: NE/NW & NW/NE of S24-T7N-R1E also affecting tax parcels 012-0852; 0847.02; 0848

Petition Summary: This is a request to eliminate two existing lots of 3.0 & 7.0 acres by zoning from AR-1 Ag Res to A-1 Ag, followed by zoning 9.99 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The existing 3-acre AR-1 lot was created in 1985 and 7-acre lot in 2003, both of which are no longer wanted by the applicant. The goal is to eliminate these two AR-1 lots and create a new 9.99-acre lot.
2. If approved, the new AR-1 lot would be eligible for one single family residence, accessory structures and limited ag uses, including up to 3 animal units, as defined in the Iowa County Zoning Ordinance.
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.



Amendatory Ordinance 4-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Mike Klein, John Beiler and Malinda Beiler;

For land being in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Town 4N, Range 1E and SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Town 4N, Range 1E in the Town of Mifflin affecting tax parcels 016-0901, 016-0901.02, 016-0905 and 016-0918.

And, this petition is made to zone 25.89 acres from A-1 Agricultural to C-1 Conservancy and 1.0 acre from A-1 Agricultural to AB-1 Agricultural Business.

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 **3339** was last held on **April 27, 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 the transfer of land from Klein to Beiler takes place and Beiler consolidates the acquired land by deed with their existing land and that the associated certified survey map is duly recorded within 6 months of County Board approval.

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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Planning & Zoning Committee Recommendation Summary

Public Hearing held on April 27, 2023

Zoning Hearing 3339

Recommendation: **Approval**

Applicant(s): Mike Klein and John & Malinda Beiler

Town of Mifflin

Site Description: SW/NW & NW/SE of S16-T4N-R1E and SE/NE of S17-T4N-R1E also affecting tax parcels 016-0901; 0901.02; 0905; 0918

Petition Summary: This is a request to zone 25.89 acres from A-1 Ag to C-1 Conservancy and 1.0 acre from A-1 Ag to AB-1 Ag Bus. Included is a request for a Conditional Use Permit to allow a cemetery on the AB-1 lot.

Comments/Recommendations

1. This petition involves the intent of Mr. Klein to sell land to the Beilers which would leave him with the 25.89 acres. Since the 25.89 acres is separated from the rest of Mr. Klein's land, it will not meet the minimum 40-acre lot size to remain zoned A-1 Ag. The Beilers intend to combine by deed the land acquired from Mr. Klein with the land they currently own.
2. This petition also involves creating a cemetery lot. A cemetery was approved by CUP in 2022 on the Beilers' entire farm. The intent now is to separate the cemetery from the farm, which necessitates the petition to rezone with a new CUP.
3. If approved, the C-1 lot would allow open spaces but prohibit any development requiring a county zoning permit. If approved, the AB-1 lot would allow cropping and any use approved by CUP.
4. The associated certified survey map has not yet been submitted for formal review.
5. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:

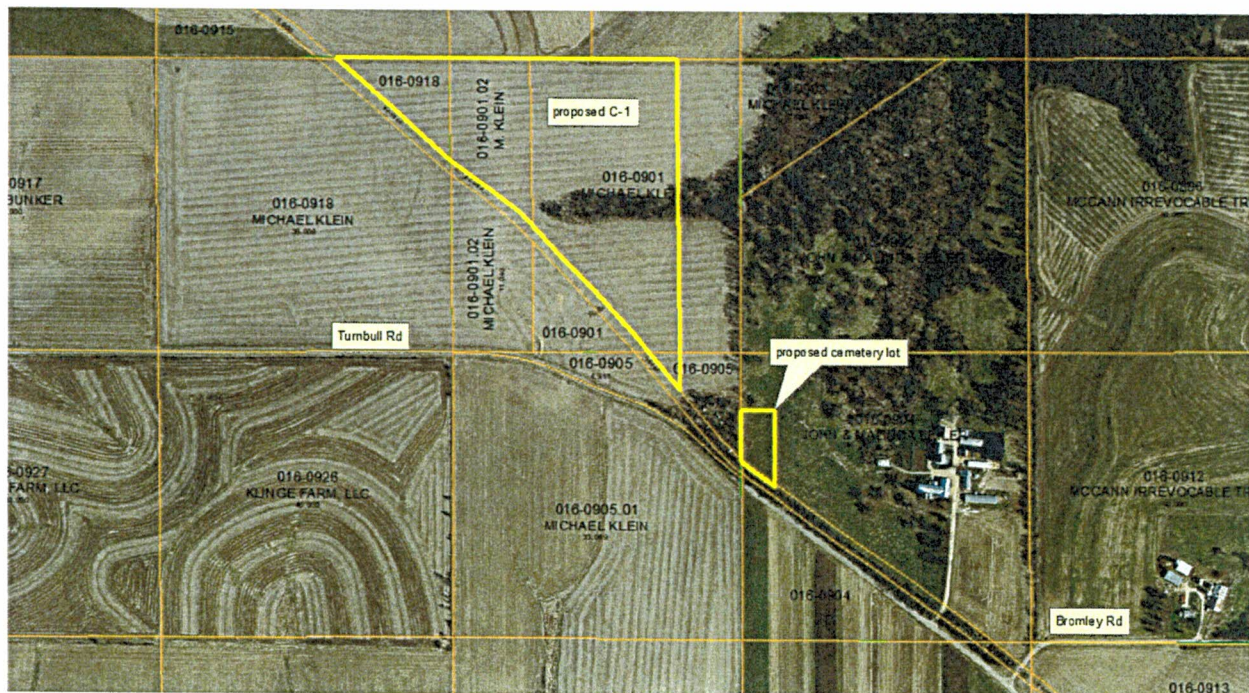
- 1) The petition is consistent with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.
- 2) Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, 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 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 on rezoning: The Town of Mifflin is recommending approval.

Staff Recommendation on rezoning: Staff recommends approval with the following conditions:

- 1) the associated Conditional Use Permit is approved for the AB-1 lot (P&Z approved), and
- 2) the transfer of land from Klein to the Beilers take place and the Beilers consolidate it by deed with their existing land within 6 months of Count Board approval, and
- 3) the associated certified survey map is duly recorded within 6 months of County Board approval



Amendatory Ordinance 5-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Neil and Joni Ripp;

For land being in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Town 5N, Range 4E in the Town of Waldwick affecting tax parcels 026-0286 and 026-0287.

And, this petition is made to zone 3.0 acres from A-1 Agricultural to AR-1 Agricultural Residential with 40 acres having the AC-1 Ag Conservancy overlay.

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

Whereas a public hearing, designated as zoning hearing number **3340** was last held on **April 27, 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 condition that the associated certified survey map is 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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on April 27, 2023

Zoning Hearing 3340

Recommendation: **Approval**

Applicant(s): Neil & Joni Ripp

Town of Waldwick

Site Description: NW/SE of S29-T5N-R4E also affecting tax parcels 026-0287; 0286

Petition Summary: This is a request to zone 3.0 acres from A-1 Ag to AR-1 Ag Res with 40 acres having 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 proposed 3-acre lot to be legally created. The AC-1 overlay is required by the Town of Waldwick's 1:40 residential density standard.
2. If approved, the AR-1 lot would allow one single family residence, accessory structures and limited ag uses, but no animal units as defined by the Iowa County Zoning Ordinance. The AC-1 overlay district prohibits any development that would require a zoning permit.
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 Waldwick 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.

