

## Amendatory Ordinance No. 3-0919

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by John Scullion;**

For land in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 10-T6N-R1E in the Town of Eden;  
affecting tax parcel 010-0025,

**And, this petition is made to rezone 40 acres from A-1 Agricultural to RB-1  
Recreational Business;**

Whereas notice of such petition has been properly advertised and notice has been given to  
the **Clerk of the Town of Eden** and the Town is recommending approval as it has been  
deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3062** was last held on  
**August 29, 2019** in accord with said notice, and 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.

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I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory  
Ordinance No. 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  
**September 17, 2019**. The effective date of this ordinance shall be **September 17, 2019**.

  
Greg Klusendorf  
Iowa County Clerk

Date: 9/18/19



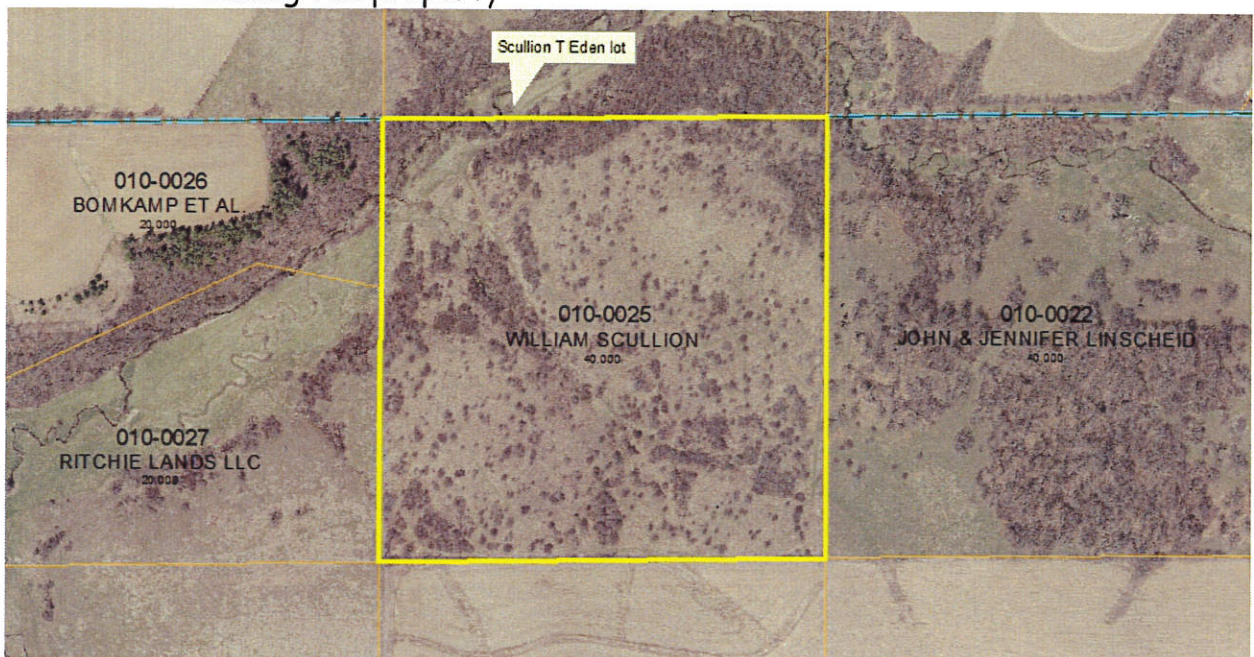
is 40 acres of the entirety must be eligible for the legal discharge of a firearm.

2. Although hunting within an open WI game season is an allowed use in the A-1 district, the licensing of land as a hunting preserve requires the RB-1 district with a Conditional Use Permit. The reason is primarily because the frequency and scale of hunting can be much greater on licensed land versus unlicensed land.

**Town Recommendation:** The Town of Eden feels the proposal is consistent with its comprehensive plan and recommends approval. The Town of Highland does not feel the proposal is consistent with its comprehensive plan and is recommending denial due to safety concerns at this site and that Mr. Scullion has other land that may be better suited from a safety point.

**Staff Recommendation:** Staff recommends agrees with each of the Town approvals and has the following comments:

1. The CUP on the Eden site might consider the following conditions:
  - a) Appropriate signage be installed to prevent hunters from leaving the property



2. The Highland site:
  - a) The site currently does not meet the State licensing requirement of its entirety being eligible for the legal

discharge of a firearm because the NE corner is encumbered due to the proximity of the neighbor's house. State law prohibits the discharge of a firearm within 300 feet of a neighboring house. However, the application could be revised to include additional adjacent lands of the applicant in order to maintain the minimum 40-acre licensed are required by the State license.

- b) If the applicant is willing to revise the application to include additional land where the entirety is eligible for the legal discharge of a firearm, there may be conditions imposed to address the safety concerns.

