

Amendatory Ordinance No. 1-0920

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Garry Phillips and Doug Phillips;

For land being part of the SW ¼ of the SW ¼ of Section 11-T5N-R3E in the Town of Mineral Point; affecting tax parcels 018-0089 and 018-0089.02.

And, this petition is made to rezone 7.42 acres from A-1 Agricultural and AR-1 Agricultural Residential to all AR-1 Agricultural Residential and 10.71 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 Mineral Point,**

Whereas a public hearing, designated as zoning hearing number **3124** was last held on **August 27, 2020** 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 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 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 15, 2020**. The effective date of this ordinance shall be **September 15, 2020**.


Greg Klusendorf
Iowa County Clerk

Date: 9/16/20



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on August 27, 2020

Zoning Hearing 3124

Recommendation: **Approval**

Applicant(s): Garry and Doug Phillips

Town of Mineral Point

Site Description: SW/SW of S11-T5N-R3E also affecting tax parcels 018-0089; 0089.02

Petition Summary: This is a request to enlarge at existing AR-1 Ag Res lot from 4 acres to 7.42 acres by rezoning from A-1 Ag to AR-1 Ag Res and to create a 10.71-acre C-1 lot.

Comments/Recommendations

1. The applicants are proposing a sale between each other that will result in enlarging an AR-1 lot to 7.42 acres and rezoning the remaining 10.71 acres of the grantor's land to C-1 Conservancy.
2. If approved, the AR-1 lot would be eligible for one residence (existing), accessory structures and up to 3 livestock type animal units. The C-1 lot would allow open space uses but no development that would require a zoning permit.
3. The Town's 40-acre residential density does not apply as no additional residential lots are being proposed.
4. The associated certified survey map has not 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 Mineral Point 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.

