

**Amendatory Ordinance No. 1-1020**

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by John & Dennis Halverson and Swenson Trust;**

For land being part of the SE ¼ of the NW ¼ of Section 24-T8N-R4E in the Town of Arena; affecting tax parcels 002-1140, 002-1140.A, and 002-1140.06.

**And, this petition is made to rezone 1.0 acre 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**,

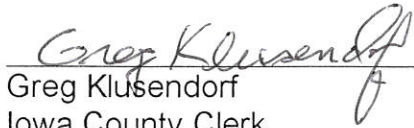
Whereas a public hearing, designated as zoning hearing number **3126** was last held on **September 24, 2020** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated 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.

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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 **October 20, 2020**. The effective date of this ordinance shall be **October 20, 2020**.

  
Greg Klusendorf  
Iowa County Clerk

Date: 11/9/20



## **IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT**

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### **Planning & Zoning Committee Recommendation Summary**

Public Hearing Held on September 24, 2020

Zoning Hearing 3126

Recommendation: **Approval**

**Applicant(s):** John & Dennis Halverson and Swenson Trust

**Town of Arena**

**Site Description:** SE/NW of S24-T8N-R4E also affecting tax parcels 002-1140, 1140.A, 1140.06

**Petition Summary:** This is a request to enlarge an existing nonconforming lot to 1 acre and rezone AR-1 to make conforming.

#### **Comments/Recommendations**

1. The existing lot is nonconforming from being created since the minimum 40-acre lot size for the A-1 district was enacted and being just under 1 acre. This proposal is to increase the area to 1 acre by adding 6 feet along the north line and rezone to AR-1.
2. If approved, the AR-1 lot would be eligible for one residence (existing), accessory structures and limited ag uses, but no livestock type animals.
3. The Town's 5-acre minimum lot size does not apply as this is an existing lot.
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 Arena 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.

