

Amendatory Ordinance No. 12-0620

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Cynthia Reynolds-Doyle and Juliet Reynolds;

For land being part of the SW ¼ of the SW ¼ & NE ¼ of the SW ¼ of Section 29-T7N-R4E in the Town of Waldwick; affecting tax parcels 026-0282 & 026-0280.

And, this petition is made to rezone 1.95 acres from A-1 Agricultural to AR-1 Agricultural Residential and 40 acres with the AC-1 Agricultural 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 **3107** was last held on **May 28, 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 **June 16, 2020**. The effective date of this ordinance shall be **June 16, 2020**.


Greg Klusendorf
Iowa County Clerk

Date: 6/17/20



IOWA COUNTY

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on May 28, 2020

Zoning Hearing 3107

Recommendation: **Approval**

Applicant(s): Cynthia Reynolds-Doyle & Juliet Reynolds

Town of Waldwick

Site Description: SW/SW & NE/SW S29-T5N-R4E also affecting tax parcel 026-0282; 0280

Petition Summary: This is a request to rezone 1.95 acres from A-1 Ag to AR-1 Ag Res and 40 acres with the AC-1 Ag Conservancy overlay to comply with residential density. Included is a CUP request for livestock type Animal Units on the 1.95 acres.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size, so the proposed 1.95-acre lot is being petitioned to be zoned AR-1 Ag Res. The AC-1 overlay is to comply with the Town's residential density standard. Since the lot is under 5 acres, a CUP is being requested to consider the proposed livestock type animal units...25 sheep (13 animal units), 10 calves (5 animal units) and 2 horses (2 animal units)...total of 20 animal units.
2. If approved, the lot will be eligible for one single family residence (existing to be demolished), accessory structures, and limited ag uses, but no livestock type animal units without the CUP. The AC-1 overlay allows the underlying ag uses but prohibits any structures requiring a zoning permit.
3. The associated certified survey map has not yet been submitted for 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 with the AC-1 overlay. The recommendation was silent on the CUP.

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

