

Amendatory Ordinance No. 4-0320

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Donald and Allison Stroud;

For land being part of the NE $\frac{1}{4}$ of Section 36-T8N-R2E in the Town of Clyde; affecting tax parcels 006-0439, 006-0440 and 006-0442.

And, this petition is made to rezone 40 acres from B-2 Highway Business and C-1 Conservancy to A-1 Agricultural;

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

Whereas a public hearing, designated as zoning hearing number **3093** was last held on **February 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.

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 **March 11, 2020**. The effective date of this ordinance shall be **March 11, 2020**.


Greg Klusendorf
Iowa County Clerk

Date: 3/12/20



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Feb. 27, 2020

Zoning Hearing 3093

Recommendation: **Approval**

Applicant(s): Donald & Allison Stroud

Town of Clyde

Site Description: NE1/4 of S36-T8N-R2E also affecting tax parcels 006-0439; 0440; 0442

Petition Summary: This is a request to rezone 40 acres from B-2 Hwy Bus & C-1 Conservancy to A-1 Ag.

Comments/Recommendations

1. The existing lot is partially zoned B-2 from 1985 and C-1 from 2009. The business is no longer in operation and the new owner is seeking to make the lot a conforming A-1 lot. The C-1 was requested at a time to avoid a zoning conversion fee associated with the Farmland Preservation Program that has since been eliminated.
2. If approved, the lot will be considered a "farm" and eligible for all uses in the A-1 district.
3. 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 Clyde is recommending approval.

Staff Recommendation: Staff recommends approval as this will resolve the existing nonconforming status and create a new farm.

