

## Amendatory Ordinance 1-0221

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Addison Family LLC;**

For land being part of the W ½ of the SW ¼ of Section 18-T6N-R1E in the Town of Eden; affecting tax parcels 010-0185, 010-0187 and 010-0188.04;

**And, this petition is made to rezone 3.23 acres to AR-1 Agricultural Residential, 3.22 acres and 7.99 acres to C-1 Conservancy all from A-1 Agricultural; and 36.77 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 Eden,**

Whereas a public hearing, designated as zoning hearing number **3143** was last held on **January 26, 2021** 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 **February 16, 2021**. The effective date of this ordinance shall be **February 16, 2021**.

*Kristy K. Spurley*

Kristy K. Spurley  
Iowa County Clerk

Date:   2-16-2021



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on January 26, 2021

Zoning Hearing 3143

Recommendation: **Approval**

**Applicant(s):** Addison Family LLC

**Town of Eden**

**Site Description:** W1/2-SW of S18-T6N-R1E also affecting tax parcels 010-0185; 0187 & 0188.04

**Petition Summary:** This is a request to create two C-1 Conservancy lots of 7.99 acres & 3.22 acres, one AR-1 lot of 3.23 acres by rezoning from A-1 Ag and 36.77 acres to have the AC-1 Ag Conservancy overlay for density compliance.

#### Comments/Recommendations

1. The A-1 Ag district has a minimum 40-acre lot size, so the proposed sub-40 acre lots require rezoning.
2. If approved, the C-1 lots would allow open space uses only and the AR-1 lot would allow one single family residence and accessory structures. The AC-1 overlay is proposed to comply with the town's 1:40 acre residential density and would allow only open space uses.
3. The associated certified survey map has not been submitted for formal 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 Eden 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.

