

Amendatory Ordinance No.4-0221

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Rick Peterson;

For land being part of the SW ¼ of the SE ¼ of Section 15, Town 8N, Range 4E in the Town of Arena; affecting tax parcels 002-1042.002 and 002-1042.004;

And, this petition is made to rezone 2.0 acres to AR-1 Agricultural Residential and 6.522 acres to AB-1 Agricultural Business;

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 **3146** 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.

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
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 3146

Recommendation: **Approval**

Applicant(s): Rick Peterson

Town of Arena

Site Description: SW/SE S15-T8N-R4E also affecting tax parcels 002-1042.002; 1042.004

Petition Summary: This is a request to redescribe two existing lots, one zoned AR-1 Ag Res and the other AB-1 Ag Bus.

Comments/Recommendations

1. The applicant is proposing to essentially change the zoning of the lots for the existing two residences. The current AB-1 residence will be on an AR-1 lot and vice versa. The new AB-1 lot is proposed to have the same uses as the existing AB-1 lot.
2. ZH3059 (2019) created the existing lots and approved a CUP for the AB-1 lot to allow a Commercial Livestock Operation and affiliated residence.
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 Arena is recommending approval.

Staff Recommendation: Staff recommends approval of the zoning change with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval. Staff recommends approval of the CUP with the conditions that there be a maximum of 100 goats; the goats must be contained on the 6.522 acres; and the residence must be occupied by either the operation owner or someone affiliated with the operation (same as conditions imposed by ZH3059).

