

Amendatory Ordinance No. 14-0621

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Tim and Cindy Pittz;

For land being part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Town 5N, Range 3E in the Town of Mineral Point affecting tax parcel 018-0073;

And, this petition is made to rezone 2.0 acres from A-1 Agricultural to AR-1 Agricultural Residential and 38.2 acres from A-1 Agricultural to C-1 Conservancy;

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

Whereas a public hearing, designated as zoning hearing number **3175** was last held on **May 27, 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 **June 15, 2021**. The effective date of this ordinance shall be **June 15, 2021**.


Kristy K. Spurley
Iowa County Clerk

Date: 6-15-21



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on May 27, 2021

Zoning Hearing 3175

Recommendation: **Approval**

Applicant(s): Tim & Cindy Pittz

Town of Arena

Site Description: part of SW/SE of S10-T5N-R3E also affecting tax parcel 018-0073

Petition Summary: This is a request to create a 2 acre AR-1 Ag Res lot and a 38.2 acre C-1 Conservancy lot by rezoning from A-1 Ag.

Comments/Recommendations

1. The proposed AR-1 lot doesn't meet the minimum 40-acre lot size to remain A-1 Ag. The C-1 lot is proposed to comply with the residential density standard applied to the AR-1 lot (1 per 40 acres).
2. If approved, the AR-1 lot would allow eligible for one single family residence, accessory structures and limited ag uses, but no livestock type animals without a Conditional Use Permit. The C-1 lot would allow open space uses but prohibit development.
3. The associated certified survey map has 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 Mineral Point is recommending approval.

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

