

## Amendatory Ordinance No. 3-0621

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Richard Brander;**

For land being part of the NE ¼ of Section 36, Town 8N, Range 2E in the Town of Clyde affecting tax parcels 006-0439.01, 006-0440.03, 006-0440.04, 006-0441 and 006-0442.02;

**And, this petition is made to rezone approximately 63 acres from 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,**

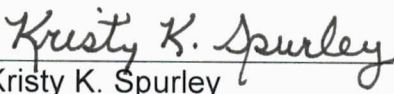
Whereas a public hearing, designated as zoning hearing number **3164** was last held on **May 27, 2021** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition.

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 **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 3164

Recommendation: **Approval**

**Applicant(s):** Richard Brander

**Town of Clyde**

**Site Description:** part of the NE ¼ of S36-T8N-R2E also affecting tax parcels 006-0439.01; 0440.03; 0440.04; 0441; 0442.02

**Petition Summary:** This is a request to rezone approx. 63 acres from C-1 Conservancy to A-1 Ag.

#### Comments/Recommendations

1. A previous owner petitioned to zone to the C-1 district in 2009 to avoid a Farmland Preservation Program zoning conversion fee that has since been eliminated. The C-1 district prohibits any development that requires a zoning permit.
2. If approved, the lot would allow 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.

